CONFERENCE ON DISARMAMENT

CD/1364
Appendix I/Volume I
26 September 1995

Original: ENGLISH

REPORT OF THE CONFERENCE ON DISARMAMENT

APPENDIX I

VOLUME I

List and texts of documents issued by the

Conference on Disarmament

REPORT OF THE CONFERENCE ON DISARMAMENT *

APPENDIX I
VOLUME I

List and texts of documents issued by the Conference on Disarmament

Document No.	Title
CD/8/Rev.6	Rules of procedure of the Conference on Disarmament
CD/1282	Letter dated 28 September 1994 from the representative of Japan to the Conference on Disarmament addressed to the President of the Conference on Disarmament transmitting the text of an excerpt from the statement made by the Deputy Prime Minister and Minister for Foreign Affairs of Japan at the forty-ninth session of the United Nations General Assembly on 27 September 1994 relating to the proposal of a ceremony for signing a CTBT in Japan
CD/1283	Letter dated 21 November 1994 from the Permanent Representative of Ukraine addressed to the Secretary-General of the Conference on Disarmament transmitting the text of the Act of Ukraine "On the accession of Ukraine to the Treaty on the Non-Proliferation of Nuclear Weapons of 1 July 1968" adopted by the Supreme Council (Verkhovna Rada) of Ukraine on 16 November 1994
CD/1284	Report of the Ad Hoc Committee on a Nuclear Test Ban to the Conference on Disarmament on its work during the period 28 November to 16 December 1994
CD/1285 and Corr.1 in English only	Letter dated 19 December 1994 from the representative of the United States of America to the Conference, the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the Conference, the Permanent Representative of the Russian Federation to the Conference and the Permanent Representative of Ukraine addressed to the Secretary-General of the Conference transmitting the text of a joint declaration of the leaders of Ukraine, Russia, the United Kingdom of Great Britain and Northern Ireland and the United States of America, as well as a memorandum on security assurances in connection with Ukraine's accession to the non-proliferation Treaty, signed in Budapest on 5 December 1994

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* Issued separately as document CD/1364.

Document No.	Title
CD/1286	Letter dated 11 January 1995 from the Deputy Permanent Representative of Canada addressed to the Deputy Secretary-General of the Conference on Disarmament transmitting an Arms Control and Disarmament publication, in two parts, entitled "The Maturing Conventional Arms Transfer and Production System: Implications for Proliferation Control" and "The United Nations Register of Conventional Arms: Options and proposals for enhancement and further development"
CD/1287	Letter dated 11 January 1995 from the Chargé d'affaires of the Mission of the Republic of Belarus, the Permanent Representative of the Russian Federation to the Conference, the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the Conference and the Permanent Representative of the United States of America to the Conference addressed to the Secretary-General of the Conference on Disarmament transmitting the text of a memorandum on security assurances in connection with the Republic of Belarus' accession to the non-proliferation Treaty, signed in Budapest on 5 December 1994
CD/1288	Letter dated 9 January 1995 from the Secretary-General of the United Nations addressed to the President of the Conference on Disarmament transmitting the resolutions on disarmament and international security matters adopted by the General Assembly at its forty-ninth session
CD/1289	Letter dated 13 January 1995 from the Deputy Permanent Representative of Canada addressed to the Deputy Secretary-General of the Conference on Disarmament transmitting an Arms Control and Disarmament publication entitled "Bibliography on Arms Control Verification: Third Update"
CD/1290	Note verbale dated 17 January 1995 from the Permanent Mission of the People's Democratic Republic of Algeria addressed to the secretariat of the Conference on Disarmament transmitting the text of a communiqué released by the Ministry of Foreign Affairs of Algeria following the deposit of the instruments of accession to the Treaty on the Non-Proliferation of Nuclear Weapons
CD/1291	Letter dated 20 December 1994 from the Permanent Representative of Hungary addressed to the Secretary-General of the Conference on Disarmament transmitting the text of the "CSCE Budapest Document 1994 - Towards a genuine partnership in a new era" adopted at the meeting of the heads of State or Government of the States participating in the Conference on Security and Cooperation in Europe (Budapest, 6 December 1994)

Document No.	Title
CD/1292 CD/NTB/WP.208	Letter dated 27 January 1995 from the Permanent Representative of India, in his capacity as Coordinator of the Group of 21 on the item "Nuclear test ban", addressed to the President of the Conference on Disarmament transmitting the text of a working paper entitled "Statement of the Group of 21 in the Ad Hoc Committee on a Nuclear Test Ban on 16 December 1994"
CD/1293	Letter dated 1 February 1995 from the Permanent Representative of Chile to the Conference on Disarmament addressed to the Deputy Secretary-General of the Conference transmitting the text of a statement made on behalf of 23 countries
CD/1294	Presidential statement on the agenda and organization of work for the 1995 session of the Conference on Disarmament
CD/1295	Letter dated 6 February 1995 from the Permanent Representative of Romania addressed to the Secretary-General of the Conference on Disarmament transmitting the text of the Act adopted by the Parliament of Romania on the import and export regime for strategic goods
CD/1296	Progress report to the Conference on Disarmament on the fortieth session of the Ad Hoc Group of Scientific Experts to Consider International Cooperative Measures to Detect and Identify Seismic Events
CD/1297	Letter dated 8 March 1995 from the Deputy Permanent Representative of Canada addressed to the Deputy Secretary-General of the Conference on Disarmament transmitting five compendia of documents of the Conference on Disarmament to support the negotiation process on a comprehensive test ban treaty (CTBT)
CD/1298	Letter dated 15 March 1995 from the Deputy Permanent Representative of Canada addressed to the Deputy Secretary-General of the Conference on Disarmament transmitting a publication entitled "The Converging Roles of Arms Control Verification, Confidence-building Measures, and Peace Operations: Opportunities for Harmonization and Synergies"
CD/1299	Report of Ambassador Gerald E. Shannon of Canada on consultations on the most appropriate arrangement to negotiate a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices

Document No.	Title
CD/1300	Letter dated 16 March 1995 from the Permanent Representative of the United States of America to the Conference addressed to the President of the Conference on Disarmament transmitting a verbatim text extracted from a speech given by President Clinton on 1 March 1995 concerning various arms control and non-proliferation issues
CD/1301	Letter dated 23 March 1995 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the Conference addressed to the Deputy Secretary-General of the Conference on Disarmament transmitting a press statement issued by the Foreign and Commonwealth Office in London on 15 March 1995 regarding the United Kingdom's export moratorium on anti-personnel land-mines
CD/1302	Letter dated 29 March 1995 from the Permanent Representative of Canada addressed to the Deputy Secretary-General of the Conference on Disarmament transmitting a publication containing papers presented at the cut-off convention workshop held in Toronto, Ontario, from 16 to 19 January 1995
CD/1303	Letter dated 22 March 1995 from the Permanent Representative of Bulgaria, Coordinator of the Eastern European Group, addressed to the President of the Conference on Disarmament concerning Slovakia's request to fill the seat of the former Czech and Slovak Federal Republic in the Conference on Disarmament
CD/1304	Letter dated 3 April 1995 from the Deputy Permanent Representative of Canada addressed to the Deputy Secretary-General of the Conference on Disarmament transmitting a publication entitled "Verifying a fissile materials cut-off: an exploratory analysis of potential diversion scenarios"
CD/1305	Letter dated 7 April 1995 from the Permanent Representative of the United States of America to the Conference addressed to the Secretary-General of the Conference on Disarmament transmitting the text of the United States statement containing the United States declaration on security assurances
CD/1306	Letter dated 7 April 1995 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the Conference addressed to the Secretary-General of the Conference on Disarmament transmitting the text of the United Kingdom declaration on security assurances

Document No.	Title
CD/1307	Letter dated 7 April 1995 from the Permanent Representative of France to the Conference on Disarmament addressed to the Secretary-General of the Conference transmitting the text of a declaration by France on security assurances
CD/1308	Letter dated 6 April 1995 from the Permanent Representatives of France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America to the Conference addressed to the Secretary-General of the Conference on Disarmament transmitting the text of their joint declaration in connection with the NPT
CD/1309	Letter dated 6 April 1995 from the head of the delegation of the People's Republic of China to the Conference addressed to the President of the Conference on Disarmament transmitting the text of China's national statement on security assurances
CD/1310 CD/NTB/WP.236	Letter dated 7 April 1995 from the Permanent Representative of India addressed to the President of the Conference on Disarmament transmitting the text of the statement of the Group of 21 on the CTBT negotiations
CD/1311	Letter dated 10 April 1995 from the Permanent Representative of the Russian Federation to the Conference on Disarmament addressed to the President of the Conference transmitting the text of a declaration dated 5 April 1995 by a representative of the Ministry of Foreign Affairs of the Russian Federation
CD/1312	Letter dated 11 April 1995 from the Permanent Representative of Myanmar addressed to the Deputy Secretary-General of the Conference on Disarmament transmitting the text of the statement of the Group of 21 on security assurances
CD/1313	Letter dated 13 April 1995 from the Permanent Representative of Bulgaria addressed to the Secretary-General of the Conference on Disarmament transmitting the text of the declaration of the Ministry of Foreign Affairs of the Republic of Bulgaria on the adoption on 11 April 1995 of United Nations Security Council resolution 984 on security assurances

Document No.	Title
CD/1314	Note verbale dated 30 May 1995 from the Permanent Mission of Argentina addressed to the secretariat of the Conference on Disarmament forwarding a statement by the Government of Argentina issued following the explosion of a nuclear device by China on 15 May 1995
CD/1315	Letter dated 1 June 1995 from the Permanent Representative of the United States of America to the Conference addressed to the Deputy Secretary-General of the Conference on Disarmament transmitting the text of a statement by the Press Secretary, issued by the Office of the Press Secretary of the White House on 15 May 1995, concerning an underground nuclear test conducted by China
CD/1316	Note verbale dated 1 June 1995 from the Permanent Mission of Turkey addressed to the secretariat of the Conference on Disarmament transmitting a statement made by the Minister for Foreign Affairs of Turkey on 17 May 1995 concerning the Chinese nuclear explosion on 15 May 1995
CD/1317	Note verbale dated 6 June 1995 from the Permanent Mission of the Russian Federation addressed to the secretariat of the Conference on Disarmament transmitting a statement made by a representative of the Russian Ministry of Foreign Affairs on 15 May 1995 in connection with a new nuclear test conducted by China
CD/1318	Note verbale dated 7 June 1995 from the Permanent Mission of New Zealand addressed to the secretariat of the Conference on Disarmament transmitting the text of the response of the New Zealand Government and people to the underground nuclear-weapon test conducted by China on 15 May 1995 at Lop Nor
CD/1319	Letter dated 14 June 1995 from the Permanent Representative of Belgium to the Conference addressed to the Secretary-General of the Conference transmitting the text of the statement by Belgium concerning the Chinese nuclear explosion of 15 May 1995
CD/1320	Note verbale dated 15 June 1995 from the Permanent Mission of New Zealand addressed to the secretariat of the Conference on Disarmament transmitting the text of a statement by the New Zealand Prime Minister, the Rt. Hon. Jim Bolger, to the New Zealand Parliament on 14 June 1995 concerning the decision of the Government of France to resume nuclear-weapon testing on Mururoa atoll in the South Pacific

Document No.	Title
CD/1321	Note verbale dated 15 June 1995 from the Permanent Mission of Italy as current Western Group Coordinator addressed to the secretariat of the Conference on Disarmament transmitting a letter from the former Western Group Coordinator on behalf of the Western Group concerning the Slovak Republic's application for CD membership
CD/1322	Letter dated 16 June 1995 from the Permanent Representative of the United States of America to the Conference addressed to the Deputy Secretary-General of the Conference on Disarmament transmitting the text of a statement by the Press Secretary, issued by the Office of the Press Secretary of the White House on 13 June 1995, concerning the decision of France to resume nuclear testing
CD/1323	Letter dated 16 June 1995 from the Permanent Representative of Chile addressed to the Deputy Secretary-General of the Conference on Disarmament transmitting the text of a statement made by the Government of Chile on the resumption of French nuclear tests
CD/1324	Letter dated 15 June 1995 from the Permanent Representative of Indonesia addressed to the Secretary-General of the Conference on Disarmament transmitting the text of a press release from the Department of Foreign Affairs of the Republic of Indonesia expressing the position of the Indonesian Government on the decision taken by the French Government to resume nuclear-weapon tests
CD/1325	Letter dated 16 June 1995 from the Permanent Representative of Australia to the Conference addressed to the Secretary-General of the Conference on Disarmament transmitting the text of a statement by the current Chairman of the South Pacific Forum, the Australian Prime Minister, the Hon. P.J. Keating MP, issued on 15 June 1995, concerning the resumption of nuclear testing by France
CD/1326	Note verbale dated 20 June 1995 from the Permanent Mission of Peru addressed to the secretariat of the Conference on Disarmament transmitting the text of an official communication concerning the decision taken by the French Government to resume nuclear-weapon tests in the South Pacific

Document No.	Title
CD/1327	Letter dated 22 June 1995 from the Permanent Representatives of the United States of America and the Russian Federation to the Conference addressed to the Secretary-General of the Conference on Disarmament transmitting the texts of the documents of the Russian-American summit, issued in Moscow on 10 May 1995, namely: Joint Statement on Non-proliferation, Joint Statement on the Transparency and Irreversibility of the Process of Reducing Nuclear Weapons, Joint Statement on Demarcation between ABM Systems and Theater Missile Defence Systems, Joint Statement on European Security and Joint Statement on a New International Export Control Regime
CD/1328	Note verbale dated 26 June 1995 from the Permanent Mission of Ecuador addressed to the President of the Conference on Disarmament transmitting the text of a declaration by the Rio Group issued on 22 June 1995 concerning the decision of the French Government to resume nuclear-weapon tests
CD/1329 CD/NTB/WP.248	Statement of the Group of 21 on a nuclear test ban
CD/1330	Note verbale dated 29 June 1995 from the Permanent Delegation of France to the Conference on Disarmament addressed to the secretariat, transmitting the text of the statement by Ambassador Gérard Errera on 29 June 1995 in the Ad Hoc Committee on a Nuclear Test Ban
CD/1331	Letter dated 30 June 1995 from the deputy head of the delegation of Sri Lanka to the Conference on Disarmament addressed to the Deputy Secretary-General of the Conference transmitting the text of the statement by the head of delegation at the 710th plenary meeting of the Conference on 29 June 1995 concerning the resumption of nuclear testing by certain nuclear-weapon States
CD/1332	Note verbale dated 26 June 1995 from the Permanent Mission of Mexico addressed to the secretariat of the Conference on Disarmament transmitting the text of a press release from the Ministry of Foreign Relations of the Government of Mexico concerning the decision by the Government of France to resume nuclear tests

Document No.	Title
CD/1333	Letter dated 29 June 1995 from the acting head of the Australian delegation to the Conference on Disarmament addressed to the Secretary-General of the Conference transmitting the text of a statement by the Australian Prime Minister, the Hon. P.J. Keating MP, concerning the resumption of nuclear testing by France
CD/1334 and Corr.1 in English only	Note verbale dated 27 June 1995 from the Permanent Mission of Mexico addressed to the secretariat of the Conference on Disarmament transmitting the text of the declaration by the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL) concerning France's resumption of nuclear testing in the South Pacific
CD/1335	Letter dated 6 July 1995 from the Permanent Representative of the United States of America to the Conference addressed to the Deputy Secretary-General of the Conference on Disarmament transmitting the text of a statement issued by the United States Arms Control and Disarmament Agency in Washington on the occasion of the twenty-seventh anniversary of the opening for signature of the Treaty on the Non-Proliferation of Nuclear Weapons
CD/1336	Letter dated 7 July 1995 from the Permanent Representative of Romania addressed to the Deputy Secretary-General of the Conference on Disarmament transmitting the text of the decision of the Romanian Government to declare a moratorium on exports of anti-personnel land-mines
CD/1337	Letter dated 11 July 1995 from the Permanent representative of the Philippines addressed to the Secretary-General of the Conference on Disarmament transmitting the text of a statement by the President of the Philippines, His Excellency Fidel V. Ramos, concerning the decision of the Government of France to resume nuclear tests in the South Pacific
CD/1338	Letter dated 9 August 1995 from the Permanent Representative of Ukraine addressed to the President of the Conference on Disarmament transmitting the text of a statement by the Ministry of Foreign Affairs of Ukraine concerning France's decision to resume nuclear testing
CD/1339	Statement of the Group of 21 on the draft resolution circulated by Argentina in the United Nations Security Council (S/1995/567)

Document No.	Title
CD/1340	Letter dated 17 August 1995 from the Permanent Representative of the United States of America to the Conference addressed to the Deputy Secretary-General of the Conference on Disarmament transmitting the text of a statement by the President of the United States made on 11 August 1995 concerning United States nuclear testing policy and a White House fact sheet, issued also on 11 August 1995, concerning United States CTBT safeguards
CD/1341	Progress report to the Conference on Disarmament on the forty-first session of the Ad Hoc Group of Scientific Experts to Consider International Cooperative Measures to Detect and Identify Seismic Events
CD/1342	Note verbale dated 22 August 1995 from the Permanent Mission of Chile addressed to the secretariat of the Conference on Disarmament transmitting an official communiqué issued by the Ministry of Foreign Affairs of Chile on 19 August 1995 condemning the nuclear explosion conducted recently by China
CD/1343	Letter dated 24 August 1995 from the Permanent Representative of the United States of America to the Conference addressed to the Deputy Secretary-General of the Conference on Disarmament transmitting the text of a statement by the Press Secretary of the White House on 17 August 1995 concerning the nuclear test conducted by China on that day
CD/1344	Letter dated 22 August 1995 from the Permanent Representative of the Philippines addressed to the Secretary-General of the Conference on Disarmament transmitting the text of a statement by the President of the Philippines, His Excellency Fidel V. Ramos, concerning the recent Chinese nuclear test
CD/1345	Letter dated 5 September 1995 from the Permanent Representative of the Republic of Belarus addressed to the President of the Conference on Disarmament transmitting the text of a press release issued by the Ministry of Foreign Affairs in connection with the announcement by the Republic of Belarus of a moratorium on the export of anti-personnel land-mines
CD/1346 and Add.1 in English only	Report of the Ad Hoc Committee on a Nuclear Test Ban to the Conference on Disarmament

Document No.	Title
CD/1347	Letter dated 8 September 1995 from the Permanent Representative of the Russian Federation to the Conference addressed to the Secretary-General of the Conference on Disarmament transmitting the text of a statement dated 20 July 1995 by the State Duma of the Federal Assembly of the Russian Federation concerning its attitude towards the resumption of nuclear testing by France, as well as a statement dated 6 September 1995 by a representative of the Ministry of Foreign Affairs of the Russian Federation concerning a nuclear test conducted by France
CD/1348	Note verbale dated 12 September 1995 from the Permanent Mission of Argentina addressed to the secretariat of the Conference on Disarmament transmitting the text of a statement by the Government of Argentina concerning French nuclear testing
CD/1349	Letter dated 11 September 1995 from the Permanent Representative of the Philippines addressed to the Secretary-General of the Conference on Disarmament transmitting the text of a statement by the President of the Philippines, His Excellency Fidel V. Ramos, concerning the recent French nuclear test
CD/1350	Letter dated 14 September 1995 from the Permanent Representative of the United States of America to the Conference addressed to the Deputy Secretary-General of the Conference on Disarmament transmitting the text of a statement by the Press Secretary of the White House on 5 September 1995 concerning the nuclear test conducted by France on that day
CD/1351	Letter dated 14 September 1995 from the Permanent Representative of Australia to the Conference addressed to the Secretary-General of the Conference on Disarmament transmitting the text of a statement by the Australian Prime Minister, the Hon. P.J. Keating MP, issued on 6 September 1995, concerning the first French nuclear test
CD/1352	Letter dated 14 September 1995 from the Permanent Representative of Australia to the Conference addressed to the Secretary-General of the Conference on Disarmament transmitting the text of a statement by the current Chairman of the South Pacific Forum, the Australian Prime Minister, the Hon. P.J. Keating MP, issued on 7 September 1995, concerning the testing of a nuclear weapon by France

Document No.	Title
CD/1353	Note verbale dated 14 September 1995 from the Permanent Mission of Peru addressed to the secretariat of the Conference on Disarmament transmitting an official communiqué issued by the Ministry of Foreign Affairs relating to the conduct of French nuclear tests at Mururoa atoll on 5 September 1995
CD/1354	Note verbale dated 14 September 1995 from the Permanent Mission of Chile addressed to the secretariat of the Conference on Disarmament transmitting an official statement by the Government of Chile on the resumption of French nuclear tests
CD/1355	Note verbale dated 15 September 1995 from the Permanent Mission of Ecuador addressed to the President of the Conference on Disarmament transmitting the relevant paragraphs contained in the declaration made by the ninth summit meeting of heads of State and Government of the Rio Group, adopted in Quito on 5 September 1995
CD/1356	Decision on expansion of membership of the Conference
CD/1357	Letter dated 21 September 1995 from the deputy head of the delegation of Sri Lanka to the Conference on Disarmament addressed to the Deputy Secretary-General of the Conference transmitting the text of the statement by the head of delegation at the 719th plenary meeting of the Conference on 21 September 1995 concerning recent nuclear tests
CD/1358	Statement of the Group of 21 on nuclear-weapon test explosions
CD/1359	Statement of the Group of 21 on the agenda and programme of work for the 1995 session of the Conference on Disarmament
CD/1360	Austria, Bangladesh, Belarus, Cameroon, Chile, Colombia, Democratic People's Republic of Korea, Finland, Iraq, Israel, New Zealand, Norway, Republic of Korea, Senegal, Slovakia, South Africa, Spain, Switzerland, Syria, Turkey, Ukraine, Viet Nam and Zimbabwe: Statement on the issue of expansion of membership of the Conference
CD/1361	Letter dated 20 September 1995 from the Permanent Representative of Ukraine addressed to the President of the Conference on Disarmament transmitting the text of the statement by the Ministry of Foreign Affairs of Ukraine concerning resumption of nuclear tests by France

Document No.	Title
CD/1362	United States of America: Proposal on expansion of membership of the Conference
CD/1363	Slovakia: Statement on expansion of membership of the Conference
CD/1364	Report of the Conference on Disarmament to the General Assembly of the United Nations

CONFERENCE ON DISARMAMENT

CD/8/Rev.6
7 September 1994

Original: ENGLISH

RULES OF PROCEDURE OF THE CONFERENCE ON DISARMAMENT

INTRODUCTION

These rules of procedure were adopted taking into account the relevant provisions of the Final Document of the first special session of the General Assembly devoted to disarmament, including the agreement reached following appropriate consultations among the member States during that session which the General Assembly welcomed in the Final Document.

I. Functions and membership

1. The Conference on Disarmament (hereinafter referred to as the Conference) is a disarmament negotiating forum open to the nuclear weapon States and 35 other States (Annex I).

2. The membership of the Conference will be reviewed at regular intervals.

3. All member States of the Conference shall take part in its work in conditions of full equality as independent States, in accordance with the principle of sovereign equality enshrined in the Charter of the United Nations.

II. Representation and accreditation

4. The delegation of a member State of the Conference shall consist of a head of delegation and other representatives, advisers, and experts, as may be required.

5. Each delegation shall be accredited by a letter on the authority of the Minister of Foreign Affairs of the member State, addressed to the President of the Conference.

6. The delegations shall be seated following the English alphabetical list of membership.

III. Sessions

7. The Conference shall have an annual session divided into three parts of 10 weeks, 7 weeks and 7 weeks respectively. The first part shall begin the penultimate week of the month of January. The Conference shall decide the actual dates of the three parts of its annual session at the close of the previous year's session.

8. The President of the Conference, in full consultation with and with the agreement of all its members, may convene the Conference in special session.

IV. Presidency

9. When the Conference is in session, the Presidency of the Conference shall rotate among all its members; each President shall preside for a four-working-week period. The rotation which began in January 1979, based on the English alphabetical list of membership, shall be followed.

10. If the head of the delegation which performs the function of President cannot be present, he may be replaced by a member of his delegation. If no member of the delegation holding the chair is able to perform the function of President, the delegation next in order of rotation shall temporarily assume this function.

11. Apart from exercising the normal functions of a presiding officer and in addition to the powers conferred upon him elsewhere by these rules, the President shall, in full consultation with the Conference and under its authority, represent it in its relations with States, with the General Assembly and other organs of the United Nations and with other international organizations.

12. During the period when the Conference is not in session the functions of the President shall be carried out by the representative of the member State which presided over the last plenary meeting of the Conference, except that between the annual sessions of the Conference the intersessional functions of the Presidency shall pass, at the beginning of the calendar year, to the representative of the member State assuming the Presidency next in order of rotation.

V. Secretariat

13. At the request of the Conference the Secretary-General of the United Nations, following consultations with the Conference, will appoint the Secretary-General of the Conference, who shall also act as his personal representative, to assist the Conference and its President in organizing the business and timetables of the Conference.

14. Under the authority of the Conference and its President, the Secretary-General shall, *inter alia*, assist in the preparation of both the provisional agenda of the Conference and the first draft of the reports of the Conference to the General Assembly of the United Nations.

15. At the request of the Conference the Secretary-General shall provide professional assistance to the Conference by preparing background papers and bibliographies on issues which are the subject of negotiations in the Conference as well as by compiling data and information relevant to the conduct of negotiations.

16. The Secretary-General shall also perform such other functions as are entrusted to him by these rules or by the Conference.

17. The Secretary-General of the United Nations will be requested to provide the staff as well as the necessary assistance and services needed by the Conference and any subsidiary bodies which it may establish.

VI. Conduct of work and adoption of decisions

18. The Conference shall conduct its work and adopt its decisions by consensus.

VII. Organization of work

19. The work of the Conference shall be conducted in plenary meetings, as well as under any additional arrangements agreed by the Conference, such as informal meetings with or without experts.

20. The Conference shall convene in plenary meetings in accordance with a schedule to be agreed upon. These meetings shall be held in public unless the Conference decides otherwise. In the event that it is decided to hold a private meeting, the Conference shall also decide whether to issue a communiqué of the meeting. The communiqué shall adequately reflect the substance of the proceedings and decisions taken by the Conference.

21. If the Conference is unable to take a decision on the substance of an item under negotiation, it will consider the subsequent examination of that item.

22. The Conference may hold informal meetings, with or without experts, to consider as appropriate substantive matters as well as questions concerning its organization of work. When requested by the Conference, the Secretariat shall provide unofficial summaries of those meetings in the working languages.

23. Whenever the Conference deems it advisable for the effective performance of its functions, including when it appears that there is a basis to negotiate a draft treaty or other draft texts, the Conference may establish subsidiary bodies, such as ad hoc sub committees, working groups, technical groups or groups of governmental experts, open to all member States of the Conference unless the Conference decides otherwise. The Conference shall define the mandate for each of such subsidiary bodies and provide appropriate support for their work.

24. The Conference shall decide if its own rules of procedure may be adapted to the specific requirements of its subsidiary bodies. The meetings of the subsidiary bodies shall be informal unless the Conference decides otherwise. The Secretariat shall provide assistance to the subsidiary bodies, as requested, including the preparation of unofficial summaries of the subsidiary bodies' proceedings in the working languages of the Conference.

25. The approval by consensus of reports shall not be interpreted as affecting in any manner the essential requirement that such reports must reflect faithfully the positions of all the members of the respective organs.

26. The Conference and its subsidiary bodies shall normally meet at the Office of the United Nations at Geneva.

VIII. Agenda and programme of work

27. At the beginning of each annual session, the Conference shall adopt its agenda for the year. In doing so, the Conference shall take into account the recommendations made to it by the General Assembly, the proposals presented by member States of the Conference and the decisions of the Conference.

28. On the basis of its agenda, the Conference, at the beginning of its annual session, shall establish its programme of work, which will include a schedule of its activities for that session, taking also into account the recommendations, proposals and decisions referred to in rule 27.

29. The provisional agenda and the programme of work shall be drawn up by the President of the Conference with the assistance of the Secretary-General and presented to the Conference for consideration and adoption.

30. The subject of statements made in plenary meetings will normally correspond to the topic then under discussion in accordance with the agreed programme of work. However, it is the right of any member State of the Conference to raise any subject relevant to the work of the Conference at a plenary meeting and to have full opportunity of presenting its views on any subject which it may consider to merit attention.

31. While the work of the Conference is in progress member States may request the inclusion of an urgent item in the agenda. The Conference shall decide whether and when it should be considered.

IX. Participation by States not members of the Conference

32. Representatives of non-member States shall have reserved seats in the conference room during plenary meetings and, if the Conference so decides, at other meetings.

33. Interested States not members of the Conference may submit to the Conference written proposals or working documents on measures of disarmament that are the subject of negotiation in the Conference and may participate in the discussion of the subject-matter of such proposals or working documents.

34. The Conference will invite States not members of the Conference, upon their request, to express views in the Conference when the particular concerns of those States are under discussion. Having considered such a request, the Conference will, through its President, transmit an invitation to that effect to the State or States concerned.

35. The Conference may also decide to invite the States referred to in rules 33 and 34 to participate in informal meetings and in meetings of its subsidiary bodies, in which case the procedure of rule 34 is applicable.

36. The provisions of rules 4 and 5 shall also apply to delegations of non-member States participating in the work of the Conference.

X. Languages, records and documents

37. Simultaneous interpretation, verbatim records of public plenary meetings and documents shall be provided in the languages used within the United Nations system by member States of the Conference participating in its work. Any representative may speak in his own language provided he makes available simultaneous interpretation into a working language.

38. Numbers shall be given in the order in which documents are received by the Secretariat. Check lists of all documents reproduced by the Secretariat shall be available from time to time.

39. Documents of the Eighteen Nations Disarmament Committee (ENDC), the Conference of the Committee on Disarmament (CCD) and the Committee on Disarmament (CD) series may be referred to without their re-submission.

40. Verbatim records and formal and other relevant documents of the Conference shall be distributed to States Members of the United Nations normally within two weeks. Official documents of the Conference will be made available for public use.

XI. Invitations to organs of the United Nations system

41. The Conference may decide to invite specialized agencies, the IAEA and other organs of the United Nations system to provide information as appropriate if the Conference decides that doing so would advance its work.

XII. Non-governmental organizations

42. All communications from non-governmental organizations to the Conference, to the President or to the Secretariat, shall be retained by the Secretariat and be made available to delegations upon request. A list of all such communications shall be circulated to the Conference.

XIII. Reports to the United Nations General Assembly

43. The Conference shall submit, through the President, reports to the United Nations General Assembly annually or more frequently as appropriate.

44. The drafts of such reports shall be prepared by the President of the Conference with the assistance of the Secretary-General and shall be made available to all member States of the Conference for consideration at least two weeks before the scheduled date for their adoption.

45. The reports of the Conference shall be factual and reflect the negotiations and work of the Conference. Unless the Conference decides otherwise, the drafts shall contain:

(a) The agenda;

(b) A summary of specific requests addressed to the Conference by the United Nations General Assembly at its preceding regular session;

(c) Sectional headings in accordance with items comprised in (a) and (b) above and other matters raised in the Conference during the year;

(d) Conclusions and decisions;

(e) A table of contents and an index of verbatim records, by country and subject, of the period covered by the reports;

(f) Working papers and proposals submitted during the year;

(g) Verbatim records of the meetings held during the year, distributed as a separate annex;

(h) Other relevant documents.

46. The Conference shall adopt the annual report at the end of its session. This report shall be made available to all Member States of the United Nations before the opening of the regular sessions of the United Nations General Assembly. All other reports shall be circulated without delay.

XIV. Amendments

47. These rules of procedure may be amended by decision of the Conference.

ANNEX I*

Algeria

Argentina

Australia

Belgium

Brazil

Bulgaria

Canada

China

Cuba

Egypt

Ethiopia

France

Germany

Hungary

India

Indonesia

Iran, Islamic Republic of

Italy

Japan

Kenya

Mexico

Mongolia

Morocco

Myanmar

Netherlands

Nigeria

Pakistan

Peru

Poland

Romania

Russian Federation

Sri Lanka

Sweden

United Kingdom of Great Britain and Northern Ireland

United States of America

Venezuela

Yugoslavia

Zaire

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* Membership of the Conference on Disarmament as at 7 September 1994.

CONFERENCE ON DISARMAMENT

CD/1282
3 October 1994

Original: ENGLISH

LETTER DATED 28 SEPTEMBER 1994 FROM THE REPRESENTATIVE OF JAPAN TO THE CONFERENCE ON DISARMAMENT ADDRESSED TO THE PRESIDENT OF THE CONFERENCE ON DISARMAMENT TRANSMITTING THE TEXT OF AN EXCERPT FROM THE STATEMENT MADE BY THE DEPUTY PRIME MINISTER AND MINISTER FOR FOREIGN AFFAIRS OF JAPAN AT THE FORTY-NINTH SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY ON 27 SEPTEMBER 1994 RELATING TO THE PROPOSAL OF A CEREMONY FOR SIGNING A CTBT IN JAPAN

I have the honour to forward herewith the English translation of the statement made by H.E. Mr. Yohei Kono, Deputy Prime Minister and Minister for Foreign Affairs of Japan at the forty-ninth session of the United Nations General Assembly on 27 September 1994, relating to the proposal of a ceremony for signing a CTBT in Japan.

I should be grateful if this letter together with the excerpt from the Foreign Minister's statement could be registered as an official document of the Conference and have it distributed to all member delegations and non-member States participating in the work of the Conference.

(Signed) Yoshitomo TANAKA
Ambassador
Permanent Representative
to the Conference on Disarmament

As the only country to have suffered a nuclear attack, and adhering firmly to its three non-nuclear principles, Japan strives to achieve the ultimate goal of eliminating all nuclear weapons. Toward this end, it urges all nuclear-weapon States to redouble their efforts to reduce their nuclear arsenals. Further, Japan supports the indefinite extension of the Nuclear Non-proliferation Treaty, and calls on all States that have not yet acceded to the treaty to do so at the earliest opportunity. At the same time, I would urge, in particular, all nuclear-weapon States to engage more actively in the negotiations on a Comprehensive Test Ban Treaty and to strive to bring them to an early and successful conclusion. Once the negotiations on the treaty are concluded, I wish to propose that a ceremony for its signing by heads of State or government be held in Japan, for example, in the city of Hiroshima, and that it be made a new starting-point for the elimination of nuclear weapons once and for all.

CONFERENCE ON DISARMAMENT

CD/1283
25 November 1994

ENGLISH
Original: FRENCH

LETTER DATED 21 NOVEMBER 1994 FROM THE PERMANENT REPRESENTATIVE OF UKRAINE ADDRESSED TO THE SECRETARY-GENERAL OF THE CONFERENCE ON DISARMAMENT TRANSMITTING THE TEXT OF THE ACT OF UKRAINE "ON THE ACCESSION OF UKRAINE TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS OF 1 JULY 1968" ADOPTED BY THE SUPREME COUNCIL (VERKHOVNA RADA) OF UKRAINE ON 16 NOVEMBER 1994

I have the honour to forward to you the text of the Act of Ukraine "On the Accession of Ukraine to the Treaty on the Non-Proliferation of Nuclear Weapons of 1 July 1968" adopted by the Verkhovna Rada of Ukraine on 16 November 1994.

Could you, please, take the appropriate steps to register this document as an official document of the Conference on Disarmament, and to have it distributed to all member States and non-member States delegations taking part in the work of the Conference.

(Signed): Olexander Slipchenko

Ambassador
Permanent Representative of Ukraine
Head of Delegation

ACT OF UKRAINE
ON THE ACCESSION OF UKRAINE TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS OF 1 JULY 1968

In accordance with the clauses of

- The Declaration of State Sovereignty of Ukraine of 16 July 1990,
- The Declaration adopted by the Supreme Council of Ukraine on 24 October 1991 on the non-nuclear status of Ukraine,
- The order adopted by the Supreme Council of Ukraine on 9 April 1992 on supplementary measures designed to ensure its non-nuclear status,
- The order adopted by the Supreme Council of Ukraine on 18 November 1993 on ratification of the Treaty between the USSR and the United States of America on the Reduction and Limitation of Strategic Offensive Arms, signed in Moscow on 31 July 1991, and the accompanying Protocol signed in Lisbon on behalf of Ukraine on 23 May 1992,
- The order adopted by the Supreme Council of Ukraine on 3 February 1994 on the application by the President and Government of Ukraine of the recommendations contained in paragraph 11 of the order of the Supreme Council of Ukraine on ratification of the Treaty between the USSR and the United States of America on the Reduction and Limitation of Strategic Offensive Arms, signed in Moscow on 31 July 1991, and the accompanying Protocol signed in Lisbon on behalf of Ukraine on 23 May 1992,

The Supreme Council of Ukraine decides:

To accede to the Treaty of 1 July 1968 on the Non-Proliferation of Nuclear Weapons with the following reservations:

1. The clauses of the Treaty do not fully cover the unique situation which arose following the dismemberment of a nuclear State, the USSR.

2. Ukraine is the owner of the nuclear weapons it inherited from the former USSR. Following the dismantling and destruction of these weapons under Ukrainian control and in accordance with procedures ruling out the possibility that constituent elements of the nuclear weapons might be re-used for the purposes initially envisaged, Ukraine intends to make use of this material for exclusively peaceful purposes.

3. The presence of nuclear weapons on Ukrainian territory pending their complete dismantling, as well as appropriate activities for their maintenance, servicing and destruction, do not run counter to the clauses of articles I and II of the Treaty.

4. Ukraine will regard as exceptional circumstances endangering its supreme interests any threat or use of force against its territorial integrity, the inviolability of its frontiers or its political independence emanating from any nuclear State. The same will apply to economic pressure designed to subordinate to the interests of such a State Ukraine's exercise of the rights inherent in its sovereignty.

5. The instruments relating to Ukraine's accession to the Treaty will be forwarded to the depositary countries after the present Act enters into force.

6. The present Act will enter into force following the granting to Ukraine, by the nuclear States, of guarantees for its security established by means of the signature of an international instrument that has been drawn up for that purpose.

(Signed): The Chairman of the Supreme Council of Ukraine O. Moroz

Kyiv, 16 November 1994

CONFERENCE ON DISARMAMENT

CD/1284
19 December 1994

ORIGINAL: ENGLISH

Report of the Ad Hoc Committee on a Nuclear Test Ban to the Conference on Disarmament on its work during the period 28 November to 16 December 1994

1. In accordance with the decision taken by the Conference on Disarmament as contained in paragraph 13(c) of the Report of the Ad Hoc Committee on a Nuclear Test Ban to the Conference on Disarmament, the Ad Hoc Committee held intersessional meetings during the period 28 November to 16 December 1994 under the Chairmanship of Ambassador Miguel Marín-Bosch of Mexico.

2. Working Group 1, under the Chairmanship of Ambassador Wolfgang Hoffman of Germany, considered various sections of the rolling text relating to general provisions on verification and the international monitoring system. The Working Group reached a preliminary common understanding on monitoring technologies to be used in an international monitoring system. The Working Group benefited from presentations made by delegations, including one on the International Data Centre as a possible element in the future comprehensive test ban treaty verification organization. In addition, under the Friend of the Chair, an Expert Group on On-Site Inspection met from 5 to 13 December and presented a report, "On-Site Inspection for the Comprehensive Test Ban Treaty: Phenomena, Technology, OSI Examples, Costs" (CD/NTB/WP.198).

3. Working Group 2, under the Chairmanship of Ambassador Ludwik Dembinski of Poland, considered various sections of the rolling text relating to the Organization which will be entrusted with the implementation of the Treaty. The Friend of the Chair on Organization presented a report on organizational issues and associated costs based on the experience of the IAEA and the OPCW (CD/NTB/WP.196).

4. In addition, Working Groups 1 and 2 held joint meetings on issues relating to the Organization, and a joint informal group discussed issues relating to the International Data Centre, which is reflected in CD/NTB/WP.197 and in an informal paper entitled "International Monitoring System" of 9 December 1994.

5. The results of the work undertaken during this period are contained in the attached revised pages of CD/1273/Rev.1.

THE ORGANIZATION

1. The States Parties to this Treaty hereby establish [the Comprehensive [Nuclear] Test-Ban Treaty [(C[N]TBT)] Organization], hereinafter referred to as the "Organization", to achieve the object and purpose of this Treaty, to ensure the implementation of its provisions, including those for international verification of compliance with it, and to provide a forum for consultation and cooperation among States Parties.

2. All States Parties to this Treaty shall be members of the Organization. [No State Party should be deprived of its membership in the Organization.]

3.1 The seat of the Organization shall be in [...] [Vienna].

[3.2 The Organization shall conduct its verification activities provided for under this Treaty in the least intrusive manner possible consistent with the timely and efficient accomplishment of their objectives. It shall request only the information and data necessary to fulfil its responsibilities under this Treaty. It shall take every precaution to protect the confidentiality of information on civil and military activities and facilities coming to its knowledge in the implementation of this Treaty and, in particular, shall abide by the provisions set forth in the Confidentiality Annex.] 1/

[4.1 The Organization shall conclude an agreement with the International Atomic Energy Agency (IAEA) through which the IAEA shall be entrusted with the verification responsibilities determined by this Treaty [and its Protocol] and with the rendering of all conference, logistic and infrastructural support required by the Organization.] 2/

[4.2 The Organization shall seek to benefit from existing international expertise and facilities where possible, and to maximize cost efficiencies, by developing a collaboration with the International Atomic Energy Agency and other bodies whereby functions of the Organization are delegated to the maximum degree consistent with adequate financial and resource management. Such arrangements (excluding those of a minor and normal commercial and contractual nature) are to be set out in agreements, which are to be submitted to the Conference of the States Parties for approval.] 3/

1/ The location of this paragraph shall be considered along with other provisions on verification.

2/ A delegation stated that a decision on the Organization could only be taken after a comparative cost estimate is made with regard to the various proposed options in this regard.

3/ Some delegations suggest that an option for the Organization might be an Organization entirely independent of the IAEA.

5. There are hereby established as organs of the Organization the Conference of the States Parties, hereinafter referred to as the "Conference", the Executive Council 4/ and the [Technical] Secretariat which shall include an International Data Centre. Subsidiary bodies may be established within the Organization according to the provisions of this Treaty.

7. The costs of the Organization's activities shall be paid by the States Parties in accordance with the United Nations scale of assessments adjusted to take into account differences in membership between the United Nations and this Organization [and subject to provisions of Articles ...]. [Financial contributions of States Parties to the Preparatory Commission shall be deducted in an appropriate way from their contributions to the regular budget. The budget of the Organization shall comprise two separate chapters, one relating to administrative and other costs, and one relating to verification costs. 5/]

8. A member of the Organization which is in arrears in the payment of its assessed contribution to the Organization shall have no vote in the Organization if the amount of its arrears equals or exceeds the amount of the contribution due from it for the preceding two full years. The Conference may, nevertheless, permit such a member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the member.

The Conference of the States Parties

9. The Conference of the States Parties is composed of all States Parties. It is the principal organ of the Organization and shall:

(a) consider any questions, matters or issues within the scope of this Treaty, including those related to the power and functions of the Executive Council and the [Technical] Secretariat [as set out in the Treaty] [in accordance with this Treaty] [and may make recommendations and take decisions on any questions, matters or issues within the scope of this Treaty raised by a State Party or brought to its attention by the Executive Council];

(b) oversee the implementation of, and compliance with, this Treaty;

(c) oversee the activities of the Executive Council and of the [Technical] Secretariat; and

(d) [oversee the implementation of the Agreement between the Organization and the IAEA] [oversee the implementation of international agreements between the Organization and State Parties, other States and other international organizations] [including that referred to in Paragraph 4.1 above with the IAEA].

4/ Any reference to the Executive Council in the text of the Treaty is without prejudice to the decision on the existence of the Executive Council within the Organization.

5/ This might require further elaboration.

[(f) foster international cooperation for peaceful purposes in the field of nuclear activities.]

10. The Conference shall take decisions on matters of procedure, including decisions to convene special sessions of the Conference [, by a simple majority of the members present and voting. Decisions on matters of substance shall be taken [as far as possible] by consensus. [If consensus is not attainable, when an issue comes up for decision, the President of the Conference shall defer any vote for 24 hours and during this period of deferment shall make every effort to facilitate achievement of consensus, and shall report to the Conference before the end of this period. If consensus is not possible at the end of 24 hours, the Conference shall take a decision by a two-thirds majority of members present and voting unless specified otherwise in this Treaty.] When the issue arises as to whether the question is one of substance or not, that question shall be treated as a matter of substance unless otherwise decided by the majority required for decisions on matters of substance].

6. The Conference shall establish such subsidiary organs as it finds necessary for the exercise of its functions in accordance with this Treaty.

The Executive Council

11. The Executive Council, which is the executive organ of the [Organization] [Conference of the States Parties], shall:

(a) promote effective implementation of, and compliance with, this Treaty;

(b) carry out the powers and functions entrusted to it under this Treaty as well as those delegated to it by the Conference of the States Parties [in accordance with the Treaty];

(c) supervise the activities of the [Technical] Secretariat.

(d) [supervise the operation of the Agreement between the Organization and the IAEA;] [supervise the implementation of international agreements between the Organization and State Parties, other States and other international organizations] [including that referred to in Paragraph 4.1 above with the IAEA;] and

(e) provide a forum for [handling] [considering] complaints and allegations of non-compliance, [applications to conduct peaceful nuclear explosions] [or requests for [challenge] on-site inspections] [and approval of such requests by a two-thirds majority of all its members] [decide whether sufficient grounds exist for an on-site inspection] [based on the report of the [Technical] Secretariat, including the expert evaluation and recommendations regarding the suspected event].

[(f.1) oversee the international exchange of routine monitoring data among all States Parties through the activities of the International Data Centre; and] [(f.2) make a judgement on the data information of possible non-compliance provided by the International Data Centre and preliminarily analyzed and assessed by the [Technical] Secretariat.]

[(g.1) receive, take any necessary action, and implement requests from States Parties for on-site inspections as provided for in the Protocol to this Treaty.]

[(g.2) examine and take decision on the request for conducting a peaceful nuclear explosion.]

[(h) examine and take decision on the request for conducting a challenge on-site inspection.]

[(i) review the final report of the challenge on-site inspection team and take decisions on, inter alia, whether any non-compliance has occurred, whether the request for the challenge on-site inspection had been within the scope of this Treaty, or whether the right to request a challenge on-site inspection had been abused.]

[12.1 The Executive Council shall consist of [41] [65] members. It shall comprise the members of the Board of Governors of the IAEA that are States Parties to this Treaty and additional members to be elected by the Conference for periods of two years, with due regard being given to an equitable geographical distribution. These additional members shall be elected from among States Parties to this Treaty which are not members of the Board of Governors of the IAEA, including those that are not members of the IAEA. The elections to the Executive Council are to be held after the elections of the Board of Governors and the tenure of the members of the Executive Council shall coincide with that of the members of the Board of Governors of the IAEA.]

[12.2 The Executive Council shall comprise ... States Parties elected for a period of two years by the Conference, [with due regard being given to an equitable [political] and geographical distribution] [on a rotational basis with no State Party excluded]. [Each of the nuclear-weapon States shall have a permanent seat therein.] [In addition, the States Parties that are nuclear-weapon States Parties to the Nuclear Non-Proliferation Treaty of 1968 shall be members of the Executive Council.]

[12.3 The Executive Council shall be composed as follows:

(a) The Conference of the States Parties shall designate for membership on the Executive Council the 10 members most advanced in the technology of nuclear energy including the production of source materials, and the [two] member[s] most advanced in the technology of nuclear energy including the production of source materials in each of the following areas [in which none of the aforesaid 10 is located] [the aforesaid ten included]:

1. North America
2. Latin America

3. Western Europe
4. Eastern Europe
5. Africa
6. Middle East and South Asia
7. South East Asia and the Pacific
8. Far East

(b) The Conference of the States Parties shall [elect to] [designate for] membership of the Executive Council [on a rotational basis as detailed in subparagraph (f) below]:

(i) Twenty members with due regard to equitable representation on the Council as a whole of the members in the areas listed in sub-paragraph (a) of this paragraph so that the Council shall at all times include in this category five representatives of the area of Latin America, four representatives of the area of Western Europe, three representatives of the area of Eastern Europe, four representatives of the area of Africa, two representatives of the Middle East and South Asia, one representative of the area of South East Asia and the Pacific, and one representative of the area of the Far East. No member in this category in any one term of office will be eligible for re-election in the same category for the following term of office, and

(ii) one further member from among the members in the following areas:

- Middle East and South Asia
- South East Asia and the Pacific
- Far East

(iii) one further member from among the members in the following areas:

- Africa
- Middle East and South Asia
- South East Asia and the Pacific

(c) The designations provided for in subparagraph (a) of this paragraph shall take place at the first meeting of the Conference and thereafter at regular annual sessions of the Conference, in accordance with IAEA data. Members so designated shall hold office from the end of the session of the Conference at which they were designated until the end of the following regular annual session of the Conference.

(d) The [elections] [designation] provided for in subparagraph (b) of this paragraph shall take place at the first meeting of the Conference and thereafter at regular annual sessions of the Conference. Members so [elected]

[designated] shall hold office from the end of the session of the Conference at which they are [elected] [designated] until the end of the second regular annual session of the Conference thereafter except in the first year, when half of the members shall hold office until the end of the following regular annual session of the Conference, due regard being paid to the established numerical proportions specified in subparagraph (b).

(e) The countries included in each of the geographical areas referred to in this paragraph are listed in Annex [...].]

[(f) The rotational designation provided for in subparagraph (b) of this paragraph shall be done by an alphabetical order of the State Parties in each area, according to the lists mentioned in subparagraph (e) of this paragraph, with the exclusion of States Parties designated under subparagraph (a) of this paragraph. Every designation according to any category mentioned in subparagraph (b) shall be accounted for.]

[(g) A State Party which prefers not to be designated to the Executive Council when its turn arrives, according to subparagraph (b), will submit to the Director General a letter of renunciation. In this case, the next State Party on the area list shall be designated, unless it also submits a letter of renunciation.]

[12.4 The Executive Council shall consist of 65 members. Each State Party shall have the right, in accordance with the principle of rotation, to serve on the Executive Council.

The members of the Executive Council shall be elected by the Conference for a term of two years. In order to ensure the effective functioning of this Treaty, due regard being specially paid to equitable geographical distribution, to the importance of the nuclear technology, as well as to political and security interests, the Executive Council shall be composed as follows, designated by each regional group:

1.	**Africa**	**15 States**
2.	**Asia**	**16 States**
3.	**Eastern Europe**	**8 States**

(on the basis of broader definition of Eastern European States)

4.	**Latin America and the Caribbean**	**11 States**
5.	**Western Europe and Others]**	**15 States**

...

12. The Conference shall:

(d) appoint the Director-General of the [[Technical] Secretariat] [Organization];

[TREATY LANGUAGE ON VERIFICATION

A proposal has been made to entrust the IAEA with verification of compliance with the Treaty (see CD/1232). Should this find approval, all the text on verification would have to be reviewed accordingly.

Working Group 2 has not yet agreed on the organs of the Organization, National Authorities, and their respective tasks (see also WP.57 suggesting an Organization without an Executive Council). Following such an agreement, language in the Treaty and the Protocol would have to be reviewed accordingly.

General Provisions

1.1 In order to ensure verification of compliance with the provisions of this Treaty, a verification regime shall be established consisting of the following elements:

(a) an International Monitoring System, [based on:
  - Seismological Monitoring;
  - Radionuclide Monitoring;
  - Hydroacoustic Monitoring;
  - Infrasound Monitoring;
  [- Satellite Monitoring;
  - EMP Monitoring;]
  - (........);]
(b) Consultation and Clarification;
(c) On-site inspections;
(d) [National or multinational means of verification]; and
(e) [Associated measures] [Transparency measures] [Confidence building measures].

[The verification regime shall be operative [as soon as possible.] [upon the entry into force of this Treaty.]] The arrangements for this [verification regime] are set forth in the Protocol to this Treaty.

1.1 bis In order to fulfil its obligations under this Treaty, each State Party shall designate or establish a National Authority to serve as the national focal point for effective liaison with the Organization and other States Parties. Each State Party shall notify the Organization of its National Authority at the time that this Treaty enters into force for it.

1.3 [The goal of the [stringent, effective and equitable] verification mechanism to be established shall be to detect in a timely manner [and accurately identify] any nuclear [weapon] test [explosion] prohibited under the Treaty. [The International Monitoring System established should possess the technical capacity required to meet this goal.]]

1.3 bis (5.5) [Verification activities shall be carried out on the basis of full respect for the sovereignty of States Parties, and in the least intrusive manner possible consistent with the effective and timely accomplishment of

Centre according to procedures contained in the Protocol.] [The International Monitoring System shall comprise [initially] Seismological Monitoring, Radionuclide Monitoring, Hydroacoustic Monitoring, Infrasound Monitoring, [Satellite Monitoring, EMP Monitoring,]and the international exchange of respective data.]

14. [Each State Party shall have the right to participate in the international exchange of data and to have access to all data made available to the International Data Centre.] [Each State Party shall have a right to transfers of monitoring and data processing techniques possessed by the International Data Centre.] [The International Data Centre shall make available to interested States Parties all techniques it utilizes to compile, process [and analyze] the information it receives from the [verification system] [international monitoring system].]

15. The [Technical Secretariat] [Organization] shall, in cooperation with the States Parties, [coordinate] [set up and operate] the International Monitoring System. This system shall consist [initially] of the monitoring stations, [satellites,] specified in Tables ..., annexed to the Protocol, communication means and [the International Data Centre]. The International Monitoring System shall fulfil the technical and operational [and standardization] requirements specified in [the Protocol.] [and] [the Operational Manuals.]

5.6 [Information obtained by the Organization by means of verification measures established by this Treaty, on-site inspection, notifications, declarations, data exchange, and additional requests for information shall be [provided] [made available] to all States Parties in accordance with the Protocol to this Treaty, unless otherwise agreed. The Organization shall provide for the protection of such information of a proprietary or sensitive nature that is provided to it pursuant to this Treaty.]

16. [A State Party shall cooperate with the Technical Secretariat in establishing and operating monitoring stations and appropriate corresponding means of international communication on its territory, within areas under its jurisdiction or control, or elsewhere in conformity with international law[, in accordance with the procedures in the relevant Operational Manuals]. [The cooperation between the States Parties and the Technical Secretariat shall cover the establishment of new stations and/or upgrades of existing facilities as appropriate.] [For an existing facility, a State Party shall give the Technical Secretariat authority to access the station as specified in the Operational Manuals and the States Parties shall agree to make the necessary changes in the equipment and the operational procedures to meet agreed requirements.] [A State Party shall cooperate with the Technical Secretariat to establish a new monitoring station at a site to be agreed upon.] [The State Party shall also give the Technical Secretariat authority to access the station and shall cooperate with the Secretariat in its routine operation.] The Technical Secretariat shall provide the necessary technical assistance [[as] [if so] requested by a [hosting] State Party] to establish, upgrade, operate and maintain the monitoring stations [satellites]. [The detailed

arrangements for the establishment and the operation of the International Monitoring System are set out in the Protocol to this Treaty.]] 5/

17.1 The Technical Secretariat shall monitor the quality of the networks [satellites] and evaluate their overall performance [in accordance with the procedures set forth in the relevant Operational Manuals] [through routine audit procedures set forth in the Operational Manual and organised in conjunction with the [host] [owning] State Party].

17.2 [The [Executive Council] [Conference of the States Parties] may amend the networks by adding or deleting stations [satellites] [in Tables ... of the Protocol], pursuant to the procedure for changing the Protocol set out in Article ... of the Treaty and Section ... of the Protocol.]

18.1 [The [Technical Secretariat] [International Data Centre 6/] shall [routinely]:]

[The International Data Centre 6/ [as an integral part of the Technical Secretariat,] in a manner detailed in the Protocol to this Treaty, shall [routinely]:]

(a) [receive all data [obtained through the verification regime including] from the International Monitoring System [, as well as other data contributed to the international exchange by States Parties] [and collect additional data];]

[receive and collect all data from the International Monitoring System; receive other data from States Parties and International Organizations as might be contributed to the international data exchange;]

(b) process [and analyze] [on a preliminary basis] [and shall have the exclusive responsibility of analysing all] [the] [this] data [received from the International Monitoring System],

[including a pre-selection of unusual events as defined in the Protocol]

[and preliminarily identify the nature of the suspicious events which the International Monitoring System has detected, pursuant to the technical criteria for event analysis and identification set out in Section ... of the Protocol]

5/ One delegation suggested moving paragraphs 16 through 21 to the Protocol.

6/ One delegation suggested that this paragraph should be part of the General Provisions on verification, and that it should include a sub-paragraph defining the IDC along the following lines: "The International Data Centre is the [focal point] for all data obtained by the verification regime."

[with the aim of identifying, according to pre-defined criteria specified in Part ... of the Protocol, significant events indicating a possible non-compliance with the basic obligations of this Treaty. This analysis shall include the identification of events and a final result. The IDC Bulletin shall be prefaced by an analytical summary.]

[Event identification, using any or all of the data which would be reported to the International Data Centre, shall be the exclusive responsibility of the individual States Parties.]

[process and analyse all data from the International Monitoring System, and [preliminary] identify the nature of significant suspicious events which the International Monitoring System has detected and which may indicate a possible non-compliance with the basic obligations of this Treaty, pursuant to the technical criteria for event analysis and identification set out in Section ... of the Protocol.]

(c) [distribute the results] [make available all data both raw and processed] to all States Parties [and the Executive Council] [within ... days] 7/

(d) store all data, both raw and processed;

[(e) [meet States Parties' independent analysis requirements by giving] [provide to] all States Parties timely access to all stored data, including on-line access at the expense of any State Party requesting such access]; and,

(f) [coordinate] [facilitate] requests for additional data from the International Monitoring System [or other monitoring stations/satellites] [, and make the resulting data available to all States Parties].

[18.2 The procedures to be used by the [Technical Secretariat] [International Data Centre] in discharging these responsibilities shall be elaborated in the relevant Operational Manuals as specified in ...].

20. States Parties may also separately establish cooperative arrangements with the Organization, in order to make available to the International Data Centre supplementary data from national monitoring stations [including] [satellites] which are not formally part of the International Monitoring System. [The conditions under which supplementary data from such facilities (designated "cooperating national facilities") are made available, and under which the International Data Centre might request further or expedited reporting, or clarifications, shall be [agreed upon between the Technical Secretariat and the State Party] [laid down in the Operational Manuals for the respective monitoring network].]

[All supplementary data provided by States Parties from their stations (designated "cooperative national stations") shall be treated and analysed by the International Data Centre with the aim of clarifying the nature of

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7/ Number of days may differ between different monitoring techniques.

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significant suspected events which may indicate a possible non-compliance with the basic obligations of this Treaty, pursuant to the technical criteria for event analysis and identification set out in Section ... of the Protocol. This supplementary data shall also serve, together with the International Monitoring System data, for the purpose of defining the perimeter of the inspection area, pursuant to paragraphs 31.3(b) and 31.4(d) of the Protocol.

The technical arrangements under which supplementary data from such stations are made available, including its authentication, and under which the International Data Centre might request further or expedited reporting or clarification, shall be agreed upon between the Organization and the States Parties.]

PROTOCOL

TO THE COMPREHENSIVE TEST BAN TREATY

SECTION: THE INTERNATIONAL MONITORING SYSTEM

Should a section on the IMS be developed in the Treaty, as suggested in this Draft, the present section on the IMS in the Protocol would have to be cleared of redundancies. Instead, it might be advisable to insert in the Protocol those characteristics and criteria of different parts of the IMS which, for the foreseeable future, should not change.

If so agreed, this section should address the manner to identify and to ensure the possible synergies of different monitoring technologies. Further technical work on this issue might have an impact on the design of the overall International Monitoring System.

Security problems and the authentication of data in the International Exchange of Data should be addressed. Further technical consideration should be given and result in additional language.

Four papers from Groups of Experts providing options for the International Monitoring System were presented by Friends of the Chair:

"Options for the design of a CTBT radioactivity monitoring network, with their most important capabilities and costs: Report of the group of experts on radioactivity to Working Group 1" (CD/NTB/WP.171);

"Options for the design of a CTBT hydroacoustic monitoring network with their most important capabilities and costs: Report of the group of experts on hydroacoustics to Working Group 1" (CD/NTB/WP.172);

"Infrasound monitoring system" (CD/NTB/WP.176);

"Seismic monitoring system" (CD/NTB/WP.177).

The International Monitoring System shall comprise [initially] Seismological Monitoring, Radionuclide Monitoring, Hydroacoustic Monitoring, Infrasound Monitoring, [Satellite Monitoring, EMP Monitoring,][and the international exchange of respective data].

Part 1: Seismological Monitoring

Attention has been drawn to coastal seismic stations suited for the detection of certain underwater events (WP.84). This issue might require further study when developing the seismological monitoring network.

[1. Each State Party to the Treaty undertakes to cooperate in an international exchange of seismological data to assist in the verification of [compliance with] the Treaty. This cooperation [shall] include[s] the

[Part 5: Satellite Monitoring

1. Each State Party undertakes to cooperate with the Organization in the development of satellite monitoring in order to promote compliance with the Treaty.

2. Each State Party undertakes to transmit directly to ground receiving States designated by the Organization all data of relevance to nuclear explosion monitoring obtained by satellites in its possession which have nuclear explosion sensing capabilities.

(Alternatively: Each State Party undertakes to cooperate with the Organization and, on the basis of agreement with the Organization, to carry nuclear explosion sensing equipment provided by the Organization aboard suitable satellites in its possession, and to transmit all data acquired by the nuclear explosion sensing equipment directly to ground receiving stations designated by the Organization.)

3. Each State Party undertakes that, if needed, it shall in collaboration with the Organization establish and operate a satellite ground receiving station or stations on its territory or in places under its jurisdiction or control. The Organization shall provide necessary technical assistance for the construction, operation and maintenance of these ground stations, including the requisite data-receiving and -processing equipment and technology for the satellite monitoring system, and train personnel in the analysis and processing of the satellite data.

4. Each State Party undertakes to transmit completely and on-line satellite monitoring data received and processed at ground station(s) designated by the Organization on its territory and in places under its jurisdiction and control to the International Data Centre.

5. The International Data Centre shall promptly distribute analysed data to all States Parties. States Parties shall have access to the IDC's satellite data at any time.]

[Part 7: EMP Monitoring

A proposal has been made to establish a ground-based electromagnetic pulse monitoring system. It should be designed for recording and real-time processing of EMP signals from nuclear explosions in the atmosphere and near space. Should this proposal be adopted, appropriate language would have to be developed, taking into account further technical work.]

International Monitoring System

3. [The International Monitoring System shall be placed under the authority of the Technical Secretariat. It shall include an International Data Centre and an international network assembling stations [satellites] which are part of international networks and others based on national means, which States Parties may put to the disposition of the international community on a voluntary or contractual basis.] [All monitoring stations of the International Monitoring System are owned and operated by States Parties.]

13.1 [Each State Party to the Treaty undertakes to support the International Monitoring System through its [nationally owned and operated] monitoring stations [satellites] and by providing relevant data to the International Data Centre according to procedures contained in the Protocol.] [The International Monitoring System shall comprise [initially] Seismological Monitoring, Radionuclide Monitoring, Hydroacoustic Monitoring, Infrasound Monitoring, Satellite Monitoring, Optical Monitoring, EMP Monitoring, and the international exchange of respective data.]

14. [Each State Party shall have the right to participate in the international exchange of data and to have access to all data made available to the International Data Centre.]

15. The [Technical Secretariat] [Organization] shall, in cooperation with the States Parties, [coordinate] [set up and operate] the International Monitoring System. This system shall consist [initially] of the monitoring stations, [satellites,] specified in Tables ..., annexed to the Protocol, communication means and [the International Data Centre]. The International Monitoring System shall fulfil the technical and operational [and standardization] requirements specified in [the Protocol.] [and] [the Operational Manuals.]

5.6 [Information obtained by the Organization by means of verification measures established by this Treaty, on-site inspection, notifications, declarations, data exchange, and additional requests for information shall be [provided] [made available] to all States Parties in accordance with the Protocol to this Treaty, unless otherwise agreed. The Organization shall provide for the protection of such information of a proprietary or sensitive nature that is provided to it pursuant to this Treaty.]

16. [A State Party shall cooperate with the Technical Secretariat in establishing and operating monitoring stations and appropriate corresponding means of international communication on its territory, within areas under its jurisdiction or control, or elsewhere in conformity with international law[, in accordance with the procedures in the relevant Operational Manuals]. [The cooperation between the States Parties and the Technical Secretariat shall cover the establishment of new stations and/or upgrades of existing facilities as appropriate.] [For an existing facility, a State Party shall give the Technical Secretariat authority to access the station as specified in the Operational Manuals and the States Parties shall agree to make the necessary changes in the equipment and the operational procedures to meet agreed requirements.] [A State Party shall cooperate with the Technical Secretariat to establish a new monitoring station at a site to be agreed upon.] [The State Party shall also give the Technical Secretariat authority to access the station and shall cooperate with the Secretariat in its routine operation.] The Technical Secretariat shall provide the necessary technical assistance

[[as] [if so] requested by a [hosting] State Party] to establish, upgrade, operate and maintain the monitoring stations [satellites]. [The detailed arrangements for the establishment and the operation of the International Monitoring System are set out in the Protocol to this Treaty.]] 5/

Potential Sub-Heading

17.0 (4.,pg 48) The Technical Secretariat shall coordinate the operation of the monitoring networks established under the International Monitoring System. In this connection, the Technical Secretariat shall:

(a) operate the International Data Centre to process, [analyze] and report on the data gathered by the verification [system] [networks];

(b) supervise and coordinate stations in the monitoring networks;

(c) ensure that the operation of participating stations and their reporting are in compliance with the relevant Operational Manuals;

(d) provide technical assistance in, and support for, the installation and operation of monitoring stations in regions of the world where such assistance and support is needed;

(e) compile and assess the results and experiences of the operation of the monitoring networks.]

17.1 The [Technical Secretariat] [International Data Centre] shall monitor the quality of the networks [satellites] and evaluate their overall performance [in accordance with the procedures set forth in the relevant Operational Manuals] [through routine audit procedures set forth in the Operational Manual and organised in conjunction with the [host] [owning] State Party].

[17.1 (15.4, pg 41) The International Data Centre shall assist in ensuring the proper operation of the international monitoring networks under this Treaty in accordance with the established criteria and standards.

17.2 [The [Executive Council] [Conference of the States Parties] may amend the networks by adding or deleting stations [satellites] [in Tables ... of the Protocol], pursuant to the procedure for changing the Protocol set out in Article ... of the Treaty and Section ... of the Protocol.]

18.0 (2g, pg 47) The Technical Secretariat shall make arrangements, as appropriate, to receive data relevant to this Treaty from national, regional or international data management centres.

18.1 The [Technical Secretariat] [International Data Centre 6/] shall [routinely]:

5/ One delegation suggested moving paragraphs 16 through 21 to the Protocol.

6/ One delegation suggested that this paragraph should be part of the General Provisions on verification, and that it should include a sub-paragraph defining the IDC along the following lines: "The International Data Centre is the [focal point] for all data obtained by the verification regime."

(a) receive all data [obtained through the verification regime including] from the International Monitoring System [, as well as other data contributed to the international exchange by States Parties] [and collect additional data];

[(a.1) (15.2, pg 40; 5.1, pg 48) receive all data from on-site inpsections and on-site visits;]

(b) process [and analyze] [on a preliminary basis] [and shall have the exclusive responsibility of analysing all] [the] [this] data [received from the International Monitoring System],

[including a pre-selection of unusual events as defined in the Protocol]

[and preliminarily identify the nature of the suspicious events which the International Monitoring System has detected, pursuant to the technical criteria for event analysis and identification set out in Section ... of the Protocol]

[with the aim of identifying, according to pre-defined criteria specified in Part ... of the Protocol, significant events indicating a possible non-compliance with the basic obligations of this Treaty. This analysis shall include the identification of events and a final result. The IDC Bulletin shall be prefaced by an analytical summary.]

[Event identification, using any or all of the data which would be reported to the International Data Centre, shall be the exclusive responsibility of the individual States Parties.]

(c) [distribute the results] [make available all data both raw and processed] to all States Parties [and the Executive Council] [within ... days] 7/

(d) store all data, both raw and processed;

[(e) [meet States Parties' independent analysis requirements by giving] [provide to] all States Parties timely access to all stored data, including on-line access at the expense of any State Party requesting such access]; and,

(f) [coordinate] [facilitate] requests for additional data from the International Monitoring System [or other monitoring stations/satellites] [, and make the resulting data available to all States Parties].

18.1-bis (14. pg 65) [Each State Party shall have a right to transfers of monitoring and data processing techniques possessed by the International Data Centre.] [The International Data Centre shall make available to interested States Parties all techniques it utilizes to compile, process [and analyze] the information it receives from the [verification system] [international monitoring system].]

[18.2 The procedures to be used by the [Technical Secretariat] [International Data Centre] in discharging these responsibilities shall be elaborated in the relevant Operational Manuals as specified in ...].

7/ Number of days may differ between different monitoring techniques.

20. States Parties may also separately establish cooperative arrangements with the Organization, in order to make available to the International Data Centre supplementary data from national monitoring stations [satellites] which are not formally part of the International Monitoring System. [The conditions under which supplementary data from such facilities (designated "cooperating national facilities") are made available, and under which the International Data Centre might request further or expedited reporting, or clarifications, shall be [agreed upon between the Technical Secretariat and the State Party] [laid down in the Operational Manuals for the respective monitoring network].]

18.4 [However, data obtained through the International Monitoring System shall serve as the sole basis for event identification. Data acquired through other means, including national technical means, shall be used as supplementary evidence to help clarify the nature of suspicious events detected by the International Monitoring System.]

18.5 [The Executive Council shall, on the basis of the results of the preliminary identification made by the International Data Centre and taking into account all relevant factors, make the determination and judgement on whether the suspicious event is a nuclear weapon test explosion.]

21.1 [To the extent a monitoring station [satellite] provides data to the International Data Centre, the costs of establishing or upgrading the monitoring stations [satellites], the staffing costs, and running costs[, including station security costs] shall be met by the Organization. The Technical Secretariat shall negotiate, on behalf of the Organization, agreements with each State Party [hosting] [owning] monitoring stations [satellites], detailing the arrangements for [meeting upgrade or establishment costs, staffing the stations, and running costs[, including station security costs]]. The agreements between the Organization and the States Parties [hosting] [owning] monitoring stations [satellites] shall be submitted to the Conference for approval. Subsequent amendments to the agreements shall be subject to prior approval by the Executive Council.]

21.2 [The costs of transmitting the data from a monitoring station or from a National Data Centre directly to the International Data Centre shall be met by the Organization. The Technical Secretariat shall negotiate, on behalf of the Organization, agreements with each State Party, as appropriate, detailing the arrangements for the costs of transmitting the data from a monitoring station or from a National Data Centre directly to the International Data Centre. The agreements between the Organization and the States Parties shall be submitted to the Conference for approval. Subsequent amendments to the agreements shall be subject to prior approval by the Executive Council.]

CONFERENCE ON DISARMAMENT

CD/1285/Corr.1
19 January 1995

ENGLISH ONLY

LETTER DATED 19 DECEMBER 1994 FROM THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE CONFERENCE, THE PERMANENT REPRESENTATIVE OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND TO THE CONFERENCE, THE PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION TO THE CONFERENCE AND THE PERMANENT REPRESENTATIVE OF UKRAINE ADDRESSED TO THE SECRETARY-GENERAL OF THE CONFERENCE TRANSMITTING THE TEXT OF A JOINT DECLARATION OF THE LEADERS OF UKRAINE, RUSSIA, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE UNITED STATES OF AMERICA, AS WELL AS A MEMORANDUM ON SECURITY ASSURANCES IN CONNECTION WITH UKRAINE'S ACCESSION TO THE NON-PROLIFERATION TREATY, SIGNED IN BUDAPEST ON 5 DECEMBER 1994

Corrigendum

The title of document CD/1285 should read as above.

CONFERENCE ON DISARMAMENT

CD/1285
21 December 1994

ENGLISH
Original: ENGLISH and RUSSIAN

LETTER DATED 19 DECEMBER 1994 FROM THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE CONFERENCE, THE PERMANENT REPRESENTATIVE OF THE UNITED KINGDOM AND NORTHERN IRELAND TO THE CONFERENCE, THE PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION TO THE CONFERENCE AND THE PERMANENT REPRESENTATIVE OF UKRAINE ADDRESSED TO THE SECRETARY-GENERAL OF THE CONFERENCE TRANSMITTING THE TEXT OF A JOINT DECLARATION OF THE LEADERS OF UKRAINE, RUSSIA, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE UNITED STATES OF AMERICA, AS WELL AS A MEMORANDUM ON SECURITY ASSURANCES IN CONNECTION WITH UKRAINE'S ACCESSION TO THE NON-PROLIFERATION TREATY, SIGNED IN BUDAPEST ON 5 DECEMBER 1994

We have the honour to forward to you the text of a Joint Declaration of the Leaders of Ukraine, Russia, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, as well as a Memorandum on Security Assurances in Connection with Ukraine's Accession to the Non-Proliferation Treaty, signed in Budapest on 5 December 1994.

Could you please take the appropriate steps to register these documents as official documents of the Conference on Disarmament, and to have them distributed to all member delegations and non-member States participating in the work of the Conference.

(Signed) Stephen J. Ledogar
Ambassador
United States Representative
to the Conference on
Disarmament

(Signed) Olexander Slipchenko
Ambassador
Permanent Representative
of Ukraine
Head of Delegation

(Signed) Sir Michael C.S. Weston
Ambassador
Permanent Representative
of the United Kingdom
to the Conference on
Disarmament

(Signed) Grigori V. Berdennikov
Ambassador
Permanent Representative
of the Russian Federation
to the Conference on
Disarmament

JOINT DECLARATION OF THE LEADERS OF UKRAINE, RUSSIA, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, AND THE UNITED STATES OF AMERICA

The leaders of Ukraine, Russia, the United Kingdom of Great Britain and Northern Ireland, and the United States of America met during the summit meeting of the Conference on Security and Cooperation in Europe.

The leaders discussed the evolution of European security architecture. They underscored their determination to support the increasingly strong tendencies toward the formation of security based on political partnership, and to cooperate in the further development of a security system which embraces all the CSCE states. This will involve the evolution - given the new realities - of transatlantic and regional mechanisms of security in a manner that enhances the security and stability of all CSCE states.

They are committed to continuing the process of building political, military, and economic security in an undivided Europe, in which integration, openness for participation, and transparency are characteristic.

The leaders confirmed that CSCE commitments in the area of human rights, economics, and security represent the cornerstone of the common European security space, and that they help ensure that countries and peoples in this space are not subjected further to the threat of military force or other undesirable consequences of aggressive nationalism and chauvinism.

They noted that the historical changes in the world, including the end of the confrontation between blocs of the "cold war", create favorable conditions for the further strengthening of security and stability on the European continent and for deep reductions in nuclear forces.

In this regard, the leaders discussed the implementation of the Trilateral statement of January 14, 1994. They noted progress in the implementation of this Statement.

The leaders also confirmed that an important contribution to the broader process of strengthening security and stability is also made by such agreements as the Treaty on Conventional Forces in Europe, the Open Skies Treaty, and confidence and security building measures.

MEMORANDUM ON SECURITY ASSURANCES IN CONNECTION WITH UKRAINE'S ACCESSION TO THE NON-PROLIFERATION TREATY

The Russian Federation, the United Kingdom of Great Britain and Northern Ireland, the United States of America, and Ukraine,

Welcoming the accession of Ukraine to the Treaty on the Non-Proliferation of Nuclear Weapons as a non-nuclear-weapon state,

Taking into account the commitment of Ukraine to eliminate all nuclear weapons from its territory within a specified period of time,

Noting the changes in the world-wide security situation, including the end of the Cold War, which have brought about conditions for deep reductions in nuclear forces,

Confirm the following:

1. The Russian Federation, the United Kingdom of Great Britain and Northern Ireland, and the United States of America reaffirm their commitment to Ukraine, in accordance with the principles of the CSCE Final Act, to respect the independence and sovereignty and the existing borders of Ukraine.

2. The Russian Federation, the United Kingdom of Great Britain and Northern Ireland, and the United States of America reaffirm their obligation to refrain from the threat or use of force against the territorial integrity or political independence of Ukraine, and that none of their weapons will ever be used against Ukraine except in self-defence or otherwise in accordance with the Charter of the United Nations.

3. The Russian Federation, the United Kingdom of Great Britain and Northern Ireland, and the United States of America reaffirm their commitment to Ukraine, in accordance with the principles of the CSCE Final Act, to refrain from economic coercion designed to subordinate to their own interest the exercise by Ukraine of the rights inherent in its sovereignty and thus to secure advantages of any kind.

4. The Russian Federation, the United Kingdom of Great Britain and Northern Ireland, and the United States of America reaffirm their commitment to seek immediate United Nations Security Council action to provide assistance to Ukraine, as a non-nuclear-weapon state party to the Treaty on the Non-Proliferation of Nuclear Weapons, if Ukraine should become a victim of an act of aggression or an object of a threat of aggression in which nuclear weapons are used.

5. The Russian Federation, the United Kingdom of Great Britain and Northern Ireland, and the United States of America reaffirm, in the case of Ukraine, their commitment not to use nuclear weapons against any non-nuclear-weapon State Party to the Treaty on the Non-Proliferation of Nuclear Weapons, except in the case of an attack

on themselves, their territories or dependent territories, their armed forces, or their allies, by such a state in association or alliance with a nuclear weapon state.

6. The Russian Federation, the United Kingdom of Great Britain and Northern Ireland, the United States of America, and Ukraine will consult in the event a situation arises which raises a question concerning these commitments.

This Memorandum shall enter into force on the date of its signing and shall be registered pusuant to article 102 of the Charter of the United Nations.

Done at Budapest on 5 December 1994 in four copies. English, Russian and Ukrainian texts of this Memorandum are equally authentic.

FOR THE RUSSIAN FEDERATION

FOR UKRAINE

FOR THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

FOR THE UNITED STATES OF AMERICA

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CONFERENCE ON DISARMAMENT

CD/1286
12 January 1995

Original: ENGLISH

LETTER DATED 11 JANUARY 1995 FROM THE DEPUTY PERMANENT REPRESENTATIVE OF CANADA ADDRESSED TO THE DEPUTY SECRETARY-GENERAL OF THE CONFERENCE ON DISARMAMENT TRANSMITTING AN ARMS CONTROL AND DISARMAMENT PUBLICATION, IN TWO PARTS, ENTITLED "THE MATURING CONVENTIONAL ARMS TRANSFER AND PRODUCTION SYSTEM: IMPLICATIONS FOR PROLIFERATION CONTROL" AND "THE UNITED NATIONS REGISTER OF CONVENTIONAL ARMS: OPTIONS AND PROPOSALS FOR ENHANCEMENT AND FURTHER DEVELOPMENT"

You will find enclosed copies of a new Canadian Arms Control and Disarmament publication, in two parts, entitled "The Maturing Conventional Arms Transfer and Production System: Implications for Proliferation Control" by Dr. Keith Krause and "The United Nations Register of Conventional Arms: options and proposals for enhancement and further development" by Dr. Edward J. Laurance.

I would be grateful if the necessary arrangements could be made for its distribution to all member and participating non-member State delegations, under cover of a CD number.

(Signed) Andrew McAlister
Minister and Deputy Permanent Representative
to the Conference on Disarmament

1/ A limited distribution of this publication in English only has been made available to the members and non-members invited to participate in the work of the Conference on Disarmament. Additional copies are available from the Permanent Mission of Canada.

CONFERENCE ON DISARMAMENT

CD/1287
13 January 1995

Original: ENGLISH and RUSSIAN

LETTER DATED 11 JANUARY 1995 FROM THE CHARGE D'AFFAIRES OF THE MISSION OF THE REPUBLIC OF BELARUS, THE PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION TO THE CONFERENCE, THE PERMANENT REPRESENTATIVE OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND TO THE CONFERENCE AND THE PERMANENT REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE CONFERENCE ADDRESSED TO THE SECRETARY-GENERAL OF THE CONFERENCE ON DISARMAMENT TRANSMITTING THE TEXT OF A MEMORANDUM ON SECURITY ASSURANCES IN CONNECTION WITH THE REPUBLIC OF BELARUS' ACCESSION TO THE NON-PROLIFERATION TREATY, SIGNED IN BUDAPEST ON 5 DECEMBER 1994

We have the honour to forward to you the text of a Memorandum on Security Assurances in Connection with the Republic of Belarus' Accession to the Non-Proliferation Treaty, signed in Budapest on 5 December 1994.

Could you please take the appropriate steps to register this document as an official document of the Conference on Disarmament, and to have it distributed to all member delegations and non-member States participating in the work of the Conference.

(Signed): Stephen J. Ledogar
Ambassador
Permanent Representative
of the United States
to the Conference on
Disarmament

(Signed): Andrei Sannikov
Counsellor
Chargé d'Affaires a.i.
Mission of Belarus

(Signed): Sir Michael C.S. Weston
Ambassador
Permanent Representative
of the United Kingdom
to the Conference on
Disarmament

(Signed): Grigori V. Berdennikov
Ambassador
Permanent Representative
of the Russian Federation
to the Conference on
Disarmament

MEMORANDUM ON SECURITY ASSURANCES IN CONNECTION WITH THE REPUBLIC OF BELARUS' ACCESSION TO THE NON-PROLIFERATION TREATY

The Republic of Belarus, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland, and the United States of America,

Welcoming the Accession of the Republic of Belarus to the Treaty on the Non-Proliferation of Nuclear Weapons as a non-nuclear-weapon state,

Taking into account the commitment of the Republic of Belarus to eliminate all nuclear weapons from its territory within a specified period of time,

Noting the changes in the world-wide security situation including the end of the Cold War, which have brought about conditions for deep reductions in nuclear forces,

Confirm the following:

1. The Russian Federation, the United Kingdom of Great Britain and Northern Ireland, and the United States of America reaffirm their commitment to the Republic of Belarus, in accordance with the principles of the CSCE Final Act, to respect the independence and sovereignty and the existing borders of the Republic of Belarus.

2. The Russian Federation, the United Kingdom of Great Britain and Northern Ireland, and the United States of America reaffirm their obligation to refrain from the threat or use of force against the territorial integrity or political independence of the Republic of Belarus, and that none of their weapons will ever be used against the Republic of Belarus except in self-defense or otherwise in accordance with the Charter of the United Nations.

3. The Russian Federation, the United Kingdom of Great Britain and Northern Ireland, and the United States of America reaffirm their commitment to the Republic of Belarus, in accordance with the Principles of the CSCE Final Act, to refrain from economic coercion designed to subordinate to their own interest the

exercise by the Republic of Belarus of the rights inherent in its sovereignty and thus to secure advantages of any kind.

4. The Russian Federation, the United Kingdom of Great Britain and Northern Ireland, and the United States of America reaffirm their commitment to seek immediate United Nations Security Council action to provide assistance to the Republic of Belarus, as a non-nuclear-weapon state party to the Treaty on the Non-Proliferation of Nuclear Weapons, if the Republic of Belarus should become a victim of an act of aggression or an object of a threat of aggression in which nuclear weapons are used.

5. The Russian Federation, the United Kingdom of Great Britain and Northern Ireland, and the United States of America reaffirm, in the case of the Republic of Belarus, their commitment not to use nuclear weapons against any non-nuclear-weapon state party to the Treaty on the Non-Proliferation of Nuclear Weapons, except in the case of an attack on themselves, their territories or dependent territories, their armed forces, or their allies, by such a state in association or alliance with a nuclear weapon state.

6. The Republic of Belarus, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland, and the United States of America will consult in the event a situation arises which raises a question concerning these commitments.

This Memorandum will become applicable upon signature.
Signed in four copies having equal validity in the Belarusian, English, and Russian languages.

FOR THE REPUBLIC OF BELARUS

FOR THE RUSSIAN FEDERATION

FOR THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

FOR THE UNITED STATES OF AMERICA
Budapest, December 5, 1994

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CONFERENCE ON DISARMAMENT

CD/1288
18 January 1995

Original: ENGLISH

LETTER DATED 9 JANUARY 1995 FROM THE SECRETARY-GENERAL OF THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE CONFERENCE ON DISARMAMENT TRANSMITTING THE RESOLUTIONS ON DISARMAMENT AND INTERNATIONAL SECURITY MATTERS ADOPTED BY THE GENERAL ASSEMBLY AT ITS FORTY-NINTH SESSION

I have the honour to transmit herewith those resolutions adopted by the General Assembly at its forty-ninth session, which make specific reference to the Conference on Disarmament.

For the information of the Conference, I am also transmitting other resolutions, dealing with or related to disarmament and international security matters, which were adopted by the General Assembly at its forty-ninth session but do not refer specifically to the Conference.

(Signed) Boutros Boutros-Ghali

ANNEX

I. Resolutions that make specific reference to the Conference on Disarmament

At its forty-ninth session, the General Assembly adopted the following resolutions that make specific reference to the Conference on Disarmament:

49/69	"Amendment of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water" (operative paragraph 1)
49/70	"Comprehensive nuclear-test-ban treaty" (operative paragraphs 1, 2, 3, 4 and 5)
49/73	"Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons" (operative paragraphs 2, 4 and 5)
49/74	"Prevention of an arms race in outer space" (operative paragraphs 5, 6, 7, 8 and 10)
49/75 A	"Prohibition of the dumping of radioactive wastes" (operative paragraphs 1, 4 and 5)
49/75 C	"Transparency in armaments" (operative paragraph 6)
49/75 E	"Step-by-step reduction of the nuclear threat" (operative paragraphs 3 and 4)
49/75 N	"Regional disarmament" (operative paragraph 1)
49/75 O	"Conventional arms control at the regional and subregional levels" (operative paragraph 2)
49/76 E	"Convention on the Prohibition of the Use of Nuclear Weapons" (operative paragraphs 1 and 2)
49/77 A	"Report of the Disarmament Commission" (operative paragraph 5)
49/77 B	"Expansion of the membership of the Conference on Disarmament" (operative paragraphs 1, 2 and 3)
49/77 C	"Report of the Conference on Disarmament" (operative paragraphs 1, 2, 3, 4, 5, 6 and 8)

II. Other resolutions dealing with disarmament and international security matters

At the forty-ninth session, the General Assembly also adopted the following resolutions dealing with disarmament and international security matters:

49/66	"Objective information on military matters, including transparency of military expenditures"
49/67	"Scientific and technological developments and their impact on international security"

49/68	"The role of science and technology in the context of international security, disarmament and other related fields"
49/71	"Establishment of a nuclear-weapon-free zone in the region of the Middle East"
49/72	"Establishment of a nuclear-weapon-free zone in South Asia"
49/75 B	"Review of the Declaration of the 1990s as the Third Disarmament Decade"
49/75 D	"Moratorium on the export of anti-personnel land-mines"
49/75 F	"1995 Review and Extension Conference of States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons"
49/75 G	"Assistance to States for curbing the illicit traffic in small arms and collecting them"
49/75 H	"Nuclear disarmament with a view to the ultimate elimination of nuclear weapons"
49/75 I	"Convening of the fourth special session of the General Assembly devoted to disarmament"
49/75 J	"Relationship between disarmament and development"
49/75 K	"Request for an advisory opinion from the International Court of Justice on the legality of the threat or use of nuclear weapons"
49/75 L	"Bilateral nuclear-arms negotiation and nuclear disarmament"
49/75 M	"Measures to curb the illicit transfer and use of conventional arms"
49/75 P	"Bilateral nuclear-arms negotiations and nuclear disarmament"
49/76 A	"United Nations Disarmament Information Programme"
49/76 B	"United Nations disarmament fellowship, training, and advisory services programme"
49/76 C	"Regional confidence-building measures"
49/76 D	"United Nations Regional Centre for Peace and Disarmament in Africa, United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific and United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean"
49/77 D	"Implementation of the guidelines for appropriate types of confidence-building measures"
49/78	"The risk of nuclear proliferation in the Middle East"
49/79	"Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects"
49/80	"Question of Antarctica"
49/81	"Strengthening of security and cooperation in the Mediterranean region"

49/82	"Implementation of the Declaration of the Indian Ocean as a Zone of Peace"
49/83	"Consolidation of the regime established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)"
49/84	"The South Atlantic region as a nuclear-weapon-free zone"
49/85	"Rationalization of the work and reform of the agenda of the First Committee"
49/86	"Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction"
49/138	"Establishment of an African nuclear-weapon-free zone"

UNITED NATIONS **A**

General Assembly

Distr.
GENERAL

A/RES/49/66
21 December 1994

Forty-ninth session
Agenda items 53 and 64 (f)

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the First Committee (A/49/690)]

49/66. Objective information on military matters, including transparency of military expenditures

The General Assembly,

Recalling its resolution 35/142 B of 12 December 1980, which introduced the United Nations system for the standardized reporting of military expenditures, and its resolutions 48/62 of 16 December 1993, calling upon all Member States to participate in it, and 47/54 B of 9 December 1992, endorsing the guidelines and recommendations for objective information on military matters and inviting Member States to provide relevant information to the Secretary-General regarding their implementation,

Noting that since then national reports on military expenditures and on the guidelines and recommendations for objective information on military matters have been submitted by a number of Member States belonging to different geographic regions,

Expressing its appreciation to the Secretary-General for providing Member States with the reports on military expenditures in standardized form reported by States 1/ and on guidelines and recommendations for objective information on military matters, 2/

1/ A/49/190 and Add.1 and 2.

2/ A/49/225.

/...

Welcoming the decision of many Member States to exchange and to publish information annually on their military budgets and to implement the guidelines and recommendations for objective information on military matters, as appropriate,

Reaffirming its firm conviction that a better flow of objective information on military matters can help to relieve international tension and contribute to the building of confidence among States and to the conclusion of concrete disarmament agreements,

Convinced that the end of the East-West confrontation and the resulting improvement of international relations form a sound basis for promoting further openness and transparency in all military matters,

Recalling that the guidelines and recommendations for objective information on military matters recommended certain areas for further consideration, such as the improvement of the United Nations system for the standardized reporting of military expenditures,

1. _Recommends_ the guidelines and recommendations for objective information on military matters to all Member States for implementation, fully taking into account specific political, military and other conditions prevailing in a region, on the basis of initiatives and with the agreement of the States of the region concerned;

2. _Calls upon_ all Member States to report annually, by 30 April, to the Secretary-General, their military expenditures for the latest fiscal year for which data are available, using, for the time being, the reporting instrument as recommended in its resolution 35/142 B;

3. _Requests_ the Secretary-General to circulate annually the reports on military expenditures, as received from Member States;

4. _Also requests_ the Secretary-General to seek the views of Member States on ways and means to implement the guidelines and recommendations for objective information on military matters, including, in particular, how to strengthen and broaden participation in the United Nations system for the standardized reporting of military expenditures, and to submit a report on the subject to the General Assembly at its fifty-first session;

5. _Decides_ to include in the provisional agenda of its fifty-first session the item entitled "Objective information on military matters, including transparency of military expenditures".

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15 December 1994

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A/RES/49/67
21 December 1994

Forty-ninth session
Agenda item 54

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the First Committee (A/49/691)]

49/67. Scientific and technological developments and their impact on international security

The General Assembly,

Recalling that at its tenth special session, the first special session devoted to disarmament, it unanimously stressed the importance of both qualitative and quantitative measures in the process of disarmament,

Recognizing that scientific and technological developments can have both civilian and military applications and that progress in science and technology for civilian applications needs to be maintained and encouraged,

Noting with concern the potential in technological advances for application to military purposes, which could lead to more sophisticated weapons and new weapons systems,

Stressing the interests of the international community in the subject and the need to follow closely the scientific and technological developments that may have a negative impact on the security environment and on the process of arms limitation and disarmament, and to channel scientific and technological developments for beneficial purposes,

/...

Emphasizing that the proposal contained in its resolution 43/77 A of 7 December 1988 is without prejudice to research and development efforts being undertaken for peaceful purposes,

Expressing regret that the Disarmament Commission was unable to develop guidelines from its deliberations under its agenda item entitled "The role of science and technology in the context of international security, disarmament and other related fields", 1/

Convinced that genuine non-proliferation can only be achieved when transfer of high technology with military applications is in accordance with universally accepted, multilaterally negotiated, non-discriminatory legal treaties,

1. *Welcomes* the report of the Secretary-General entitled "Scientific and technological developments and their impact on international security" 2/ submitted in pursuance of General Assembly resolution 48/66 of 16 December 1993;

2. *Fully agrees* with the assessment that the application of new technologies for a qualitative improvement of weapons systems was seen as detracting from the efforts to reduce and eliminate the existing arsenals; 3/

3. *Requests* the Secretary-General to follow scientific and technological developments and to make a relevant assessment in keeping with the criteria presented to the General Assembly at its forty-fifth session 4/ and to submit a report to the Assembly at its fiftieth session;

4. *Also requests* the Secretary-General to develop a database of concerned research institutions and experts with a view to promoting transparency and international cooperation in the applications of the scientific and technological developments for pursuing disarmament objectives such as disposal of weapons, conversion and verification, among others;

5. *Invites* all Member States to communicate to the Secretary-General their views and assessments;

6. *Decides* to include in the provisional agenda of its fiftieth session the item entitled "Scientific and technological developments and their impact on international security".

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1/ *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 42* (A/49/42), para. 22 (para. 6 of the quoted text).

2/ A/49/502.

3/ Ibid., para. 7.

4/ A/45/568.

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Distr.
GENERAL

A/RES/49/68
21 December 1994

Forty-ninth session
Agenda item 55

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the First Committee (A/49/692)]

49/68. The role of science and technology in the context of international security, disarmament and other related fields

The General Assembly,

Recalling its resolutions 47/44 of 9 December 1992 and 48/67 of 16 December 1993,

Taking note of the report of the Disarmament Commission on its 1994 substantive session, 1/ in particular on the work of Working Group II on agenda item 5, entitled "The role of science and technology in the context of international security, disarmament and other related fields", 2/

Recognizing that science and technology per se are deemed to be neutral, that scientific and technological developments can have both civilian and military applications and that progress in science and technology for civilian applications needs to be maintained and encouraged,

Mindful that the application of science and technology relevant to weapons of mass destruction, as well as to conventional weapons, should not lead to excessive and destabilizing accumulation of arms through quantitative build-up or qualitative improvements of arms which threaten international peace and security,

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1/ Official Records of the General Assembly, Forty-ninth Session, Supplement No. 42 (A/49/42).

2/ Ibid., para. 22.

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Recognizing that progress in the application of science and technology contributes substantially to the implementation of arms control and disarmament agreements in the fields of, *inter alia*, weapons disposal, military conversion and verification,

Cognizant that international transfers of high-technology products, services and know-how for peaceful purposes are important for the economic and social development of States,

Recalling that norms and guidelines for the transfer of high technology with military applications should take into account legitimate requirements for the maintenance of international peace and security, while ensuring that they do not deny access to high-technology products, services and know-how for peaceful purposes,

Mindful that cooperation in this field among supplier and recipient States should be enhanced by a firm common commitment to preventing transfers of high technology with military applications for exclusively peaceful purposes from being diverted to non-peaceful uses, and that such cooperation should be based on clearly defined and balanced rights and obligations, appropriate measures of transparency and verification, equity and fairness and predictability of incentives and benefits,

1. *Affirms* that scientific and technological achievements should be used for the benefit of all mankind to promote the sustainable economic and social development of all States and to safeguard international security, and that international cooperation in the use of science and technology through the transfer and exchange of technological know-how for peaceful purposes should be promoted;

2. *Invites* Member States to undertake additional efforts to apply science and technology for disarmament-related purposes and to make disarmament-related technologies available to interested States;

3. *Recommends* that Member States adopt and implement national measures, consistent with international law, regulating the transfer of high technology with military applications in order to seek to ensure that such transfers do not undermine international peace and security and that access is not denied to high-technology products, services and know-how for peaceful purposes;

4. *Also invites* Member States to widen multilateral dialogue, seeking universally acceptable norms and guidelines that would regulate international transfers of high technology with military applications;

5. *Encourages* the United Nations to contribute, within existing mandates, to promoting the application of science and technology for peaceful purposes;

6. *Decides* to include in the provisional agenda of its fiftieth session the item entitled "The role of science and technology in the context of international security, disarmament and other related fields".

90th plenary meeting
15 December 1994

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GENERAL

A/RES/49/69
9 January 1995

Forty-ninth session
Agenda item 56

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the First Committee (A/49/693)]

49/69. *Amendment of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water*

The General Assembly,

Recalling its resolutions 44/106 of 15 December 1989, 45/50 of 4 December 1990, 46/28 of 6 December 1991, 47/46 of 9 December 1992 and 48/69 of 16 December 1993,

Reiterating its conviction that a comprehensive nuclear-test-ban treaty is the highest-priority measure for the cessation of the nuclear-arms race and for the achievement of the objective of nuclear disarmament,

Recalling the central role of the United Nations in the field of nuclear disarmament and in particular in the cessation of all nuclear-test explosions, as well as the persistent efforts of non-governmental organizations in the achievement of a comprehensive nuclear-test-ban treaty,

Conscious of the growing environmental concerns throughout the world and of the past and potential negative effects of nuclear testing on the environment,

Recalling its resolution 1910 (XVIII) of 27 November 1963, in which it noted with approval the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water, 1/ signed on 5 August 1963, and requested the

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1/ United Nations, *Treaty Series*, vol. 480, No. 6964.

/...

Conference of the Eighteen-Nation Committee on Disarmament [2] to continue with a sense of urgency its negotiations to achieve the objectives set forth in the preamble to the Treaty,

Recalling also that more than one third of the parties to the Treaty requested the depositary Governments to convene a conference to consider an amendment that would convert the Treaty into a comprehensive test-ban treaty,

Recalling further that a substantive session of the Amendment Conference of the States Parties to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water was held in New York from 7 to 18 January 1991,

Reiterating its conviction that the Amendment Conference will facilitate the attainment of the objectives set forth in the Treaty and thus serve to strengthen it,

Noting with satisfaction the unilateral nuclear-test moratoriums announced by several nuclear-weapon States,

Welcoming the decision of the Conference on Disarmament to give its Ad Hoc Committee on a Nuclear Test Ban a mandate to negotiate a comprehensive test ban, [3]

Recalling its recommendation that arrangements be made to ensure that intensive efforts continue, under the auspices of the Amendment Conference, until a comprehensive nuclear-test-ban treaty is achieved, and its call that all parties participate in, and contribute to the success of, the Amendment Conference,

Recalling also the decision adopted by the Amendment Conference [4] to the effect that, since further work needed to be undertaken on certain aspects of a comprehensive test-ban treaty, especially those with regard to verification of compliance and possible sanctions against non-compliance, the President of the Conference should conduct consultations with a view to achieving progress on those issues and to resuming the work of the Conference at an appropriate time,

Welcoming also the ongoing efforts being conducted by the President of the Amendment Conference,

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[2] On 26 August 1969, the Conference of the Eighteen-Nation Committee on Disarmament decided to change its name to the Conference of the Committee on Disarmament. That negotiating body became the Committee on Disarmament as from the tenth special session of the General Assembly. The Committee on Disarmament was redesignated the Conference on Disarmament as from 7 February 1984.

[3] See Official Records of the General Assembly, Forty-eighth Session, Supplement No. 27 (A/48/27), para. 31 (para. 2 of the quoted text).

[4] PTBT/CONF/13/Rev.1, para. 26.

Recalling finally the concluding statement 5/ made by the President of the Amendment Conference of the States Parties to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water at the special meeting of States parties held on 10 August 1993, in which broad agreement was found for:

(*a*) Pursuing work for a comprehensive test ban in the Amendment Conference and the Conference on Disarmament in a mutually supportive and mutually complementary manner,

(*b*) Holding another special meeting early in 1994 to review developments and assess the situation regarding a comprehensive test ban and to examine the feasibility of resuming the work of the Amendment Conference later that year,

(*c*) Promoting universality of a comprehensive test ban by having the President of the Amendment Conference liaise closely with the Conference on Disarmament and the five nuclear-weapon States,

1. *Notes with satisfaction* that in 1994 the Conference on Disarmament initiated the multilateral negotiation of a universal and effectively verifiable comprehensive nuclear-test ban, which would contribute effectively to the prevention of proliferation in all its aspects, to the process of nuclear disarmament and therefore to the enhancement of international peace and security;

2. *Notes* the intention of the President of the Conference to convene, after appropriate consultations and in the light of the work carried out by the Conference on Disarmament, another special meeting of the States parties to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water, as envisaged by the General Assembly in its resolution 48/69, to review developments and assess the situation regarding a comprehensive test ban and to examine the feasibility of resuming the work of the Amendment Conference;

3. *Recommends* that arrangements be made to ensure the fullest possible participation of non-governmental organizations in the Amendment Conference;

4. *Reiterates its conviction* that, pending the conclusion of a comprehensive nuclear-test-ban treaty, the nuclear-weapon States should suspend all nuclear-test explosions through an agreed moratorium or unilateral moratoriums;

5. *Decides* to include in the provisional agenda of its fiftieth session the item entitled "Amendment of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water".

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15 December 1994

5/ 48/381, annex.

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Distr.
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A/RES/49/70
9 January 1995

Forty-ninth session
Agenda item 57

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the First Committee (A/49/694)]

49/70. *Comprehensive nuclear-test-ban treaty*

The General Assembly,

Recalling its resolution 48/70 of 16 December 1993, in which the entire international community, for the first time, supported the commencement of multilateral negotiations on a comprehensive nuclear-test-ban treaty,

Reaffirming that a comprehensive nuclear-test ban is one of the highest priority objectives of the international community in the field of disarmament and non-proliferation,

Convinced that the most effective way to achieve an end to nuclear testing is through the conclusion of a universal and internationally and effectively verifiable comprehensive nuclear-test-ban treaty that will attract the adherence of all States and will contribute to the prevention of the proliferation of nuclear weapons in all its aspects, to the process of nuclear disarmament and therefore to the enhancement of international peace and security,

Reaffirming the conviction that the exercise of utmost restraint in respect of nuclear testing would be consistent with the negotiation of a comprehensive nuclear-test-ban treaty,

Noting the aspirations expressed by the parties to the 1963 Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under

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Water 1/ to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time, which are recalled in the preamble to the 1968 Treaty on the Non-Proliferation of Nuclear Weapons, 2/

Welcoming the preparation of a rolling text in the Ad Hoc Committee on a Nuclear Test Ban of the Conference on Disarmament, as reflected in the report of the Conference and its appendix, 3/ and noting the decision of the Conference to continue its work in inter-sessional meetings,

1. *Welcomes* the multilateral negotiation on a comprehensive nuclear-test-ban treaty in the Ad Hoc Committee on a Nuclear Test Ban of the Conference on Disarmament, and the positive and substantial contributions to the elaboration of the rolling text made by States participating in those negotiations;

2. *Calls upon* participants in the Conference on Disarmament to advance work on the basis of the rolling text during the inter-sessional negotiating period with a view to making substantial progress;

3. *Also calls upon* the Conference on Disarmament, upon the re-establishment of the Ad Hoc Committee at the commencement of its 1995 session and renewal of its mandate, to proceed to a new phase of negotiation;

4. *Urges* all States participating in the Conference on Disarmament, in particular the nuclear-weapon States, to negotiate intensively, as a high priority task, and to conclude a universal and multilaterally and effectively verifiable comprehensive nuclear-test-ban treaty which contributes to nuclear disarmament and the prevention of the proliferation of nuclear weapons in all its aspects;

5. *Calls once more upon* all States to support the multilateral negotiations in the Conference on Disarmament for a comprehensive nuclear-test-ban treaty and their conclusion without delay;

6. *Requests* the Secretary-General to ensure the provision to the Conference on Disarmament of adequate administrative, substantive and conference support services for these negotiations;

7. *Decides* to include in the provisional agenda of its fiftieth session the item entitled "Comprehensive test-ban treaty".

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15 December 1994

1/ United Nations, *Treaty Series*, vol. 480, No. 6964.

2/ Ibid, vol. 729, No. 10485.

3/ *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 27* (A/49/27), sect. III.A.

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GENERAL

A/RES/49/71
9 January 1995

Forty-ninth session
Agenda item 58

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the First Committee (A/49/695)]

49/71. Establishment of a nuclear-weapon-free zone in the region of the Middle East

The General Assembly,

Recalling its resolutions 3263 (XXIX) of 9 December 1974, 3474 (XXX) of 11 December 1975, 31/71 of 10 December 1976, 32/82 of 12 December 1977, 33/64 of 14 December 1978, 34/77 of 11 December 1979, 35/147 of 12 December 1980, 36/87 of 9 December 1981, 37/75 of 9 December 1982, 38/64 of 15 December 1983, 39/54 of 12 December 1984, 40/82 of 12 December 1985, 41/48 of 3 December 1986, 42/28 of 30 November 1987, 43/65 of 7 December 1988, 44/108 of 15 December 1989, 45/52 of 4 December 1990, 46/30 of 6 December 1991, 47/48 of 9 December 1992 and 48/71 of 16 December 1993 on the establishment of a nuclear-weapon-free zone in the region of the Middle East,

Recalling also the recommendations for the establishment of such a zone in the Middle East consistent with paragraphs 60 to 63, and in particular paragraph 63 (d), of the Final Document of the Tenth Special Session of the General Assembly, 1/

Emphasizing the basic provisions of the above-mentioned resolutions, which call upon all parties directly concerned to consider taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East and, pending and during the establishment of such a zone, to declare solemnly that they will refrain, on a reciprocal basis, from producing, acquiring or in any

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1/ Resolution S-10/2.

/...

other way possessing nuclear weapons and nuclear explosive devices and from permitting the stationing of nuclear weapons on their territory by any third party, to agree to place all their nuclear facilities under International Atomic Energy Agency safeguards and to declare their support for the establishment of the zone and to deposit such declarations with the Security Council for consideration, as appropriate,

Reaffirming the inalienable right of all States to acquire and develop nuclear energy for peaceful purposes,

Emphasizing also the need for appropriate measures on the question of the prohibition of military attacks on nuclear facilities,

Bearing in mind the consensus reached by the General Assembly at its thirty-fifth session that the establishment of a nuclear-weapon-free zone in the region of the Middle East would greatly enhance international peace and security,

Desirous of building on that consensus so that substantial progress can be made towards establishing a nuclear-weapon-free zone in the region of the Middle East,

Welcoming all initiatives leading to general and complete disarmament, including in the region of the Middle East, and in particular on the establishment therein of a zone free of weapons of mass destruction, including nuclear weapons,

Taking note of the peace negotiations in the Middle East, which should be of a comprehensive nature and represent an appropriate framework for the peaceful settlement of contentious issues in the region,

Recognizing the importance of credible regional security, including the establishment of a mutually verifiable nuclear-weapon-free zone,

Emphasizing the essential role of the United Nations in the establishment of a nuclear-weapon-free zone in the region of the Middle East,

Having examined the report of the Secretary-General on the implementation of resolution 48/71, [2]

1. Urges all parties directly concerned seriously to consider taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East in accordance with the relevant resolutions of the General Assembly, and, as a means of promoting this objective, invites the countries concerned to adhere to the Treaty on the Non-Proliferation of Nuclear Weapons; [3]

2. Calls upon all countries of the region that have not done so, pending the establishment of the zone, to agree to place all their nuclear activities under International Atomic Energy Agency safeguards;

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[2] A/49/324.

[3] United Nations, Treaty Series, vol. 729, No. 10485.

/...

3. Takes note of resolution GC(XXXVIII)/RES/21, adopted on 23 September 1994 by the General Conference of the International Atomic Energy Agency at its thirty-eighth regular session, concerning the application of Agency safeguards in the Middle East;

4. Takes note also of the importance of the ongoing bilateral Middle East peace negotiations and the activities of the multilateral working group on arms control and regional security in promoting mutual confidence and security in the Middle East, including the establishment of a nuclear-weapon-free zone;

5. Invites all countries of the region, pending the establishment of a nuclear-weapon-free zone in the region of the Middle East, to declare their support for establishing such a zone, consistent with paragraph 63 (d) of the Final Document of the Tenth Special Session of the General Assembly, and to deposit those declarations with the Security Council;

6. Also invites those countries, pending the establishment of the zone, not to develop, produce, test or otherwise acquire nuclear weapons or permit the stationing on their territories, or territories under their control, of nuclear weapons or nuclear explosive devices;

7. Invites the nuclear-weapon States and all other States to render their assistance in the establishment of the zone and at the same time to refrain from any action that runs counter to both the letter and the spirit of the present resolution;

8. Takes note of the report of the Secretary-General; 2/

9. Invites all parties to consider the appropriate means that may contribute towards the goal of general and complete disarmament and the establishment of a zone free of weapons of mass destruction in the region of the Middle East;

10. Requests the Secretary-General to continue to pursue consultations with the States of the region and other concerned States, in accordance with paragraph 7 of resolution 46/30 and taking into account the evolving situation in the region, and to seek from those States their views on the measures outlined in chapters III and IV of the study annexed to his report 4/ or other relevant measures, in order to move towards the establishment of a nuclear-weapon-free zone in the region of the Middle East;

11. Also requests the Secretary-General to submit to the General Assembly at its fiftieth session a report on the implementation of the present resolution;

12. Decides to include in the provisional agenda of its fiftieth session the item entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East".

90th plenary meeting
15 December 1994

4/ A/45/435.

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GENERAL

A/RES/49/72
9 January 1995

Forty-ninth session
Agenda item 59

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the First Committee (A/49/696)]

49/72. *Establishment of a nuclear-weapon-free zone in South Asia*

The General Assembly,

Recalling its resolutions 3265 B (XXIX) of 9 December 1974, 3476 B (XXX) of 11 December 1975, 31/73 of 10 December 1976, 32/83 of 12 December 1977, 33/65 of 14 December 1978, 34/78 of 11 December 1979, 35/148 of 12 December 1980, 36/88 of 9 December 1981, 37/76 of 9 December 1982, 38/65 of 15 December 1983, 39/55 of 12 December 1984, 40/83 of 12 December 1985, 41/49 of 3 December 1986, 42/29 of 30 November 1987, 43/66 of 7 December 1988, 44/109 of 15 December 1989, 45/53 of 4 December 1990, 46/31 of 6 December 1991, 47/49 of 9 December 1992 and 48/72 of 16 December 1993 concerning the establishment of a nuclear-weapon-free zone in South Asia,

Reiterating its conviction that the establishment of nuclear-weapon-free zones in various regions of the world is one of the measures that can contribute effectively to the objectives of non-proliferation of nuclear weapons and general and complete disarmament,

Believing that the establishment of a nuclear-weapon-free zone in South Asia, as in other regions, will assist in the strengthening of the security of the States of the region against the use or threat of use of nuclear weapons,

Taking note with appreciation of the declarations issued at the highest level by the Governments of South Asian States that are developing their peaceful nuclear programmes, reaffirming their undertaking not to acquire or manufacture nuclear weapons and to devote their nuclear programmes exclusively to the economic and social advancement of their peoples,

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Welcoming the recent proposal for the conclusion of a bilateral or regional nuclear-test-ban agreement in South Asia,

Taking note of the proposal to convene, under the auspices of the United Nations, a conference on nuclear non-proliferation in South Asia as soon as possible, with the participation of the regional and other concerned States,

Taking note also of the proposal to hold consultations among five nations with a view to ensuring nuclear non-proliferation in the region,

Considering that the eventual participation of other States, as appropriate, in this process could be useful,

Bearing in mind the provisions of paragraphs 60 to 63 of the Final Document of the Tenth Special Session of the General Assembly 1/ regarding the establishment of nuclear-weapon-free zones, including in the region of South Asia,

Taking note of the report of the Secretary-General, 2/

1. *Reaffirms* its endorsement, in principle, of the concept of a nuclear-weapon-free zone in South Asia;

2. *Urges once again* the States of South Asia to continue to make all possible efforts to establish a nuclear-weapon-free zone in South Asia and to refrain, in the meantime, from any action contrary to that objective;

3. *Welcomes* the support of all the five nuclear-weapon States for this proposal, and calls upon them to extend the necessary cooperation in the efforts to establish a nuclear-weapon-free zone in South Asia;

4. *Requests* the Secretary-General to communicate with the States of the region and other concerned States in order to ascertain their views on the issue and to promote consultations among them with a view to exploring the best possibilities of furthering the efforts for the establishment of a nuclear-weapon-free zone in South Asia;

5. *Also requests* the Secretary-General to report on the subject to the General Assembly at its fiftieth session;

6. *Decides* to include in the provisional agenda of its fiftieth session the item entitled "Establishment of a nuclear-weapon-free zone in South Asia".

90th plenary meeting
15 December 1994

1/ Resolution S-10/2.

2/ A/49/296.

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General Assembly

Distr.
GENERAL

A/RES/49/73
9 January 1995

Forty-ninth session
Agenda item 60

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the First Committee (A/49/697)]

49/73. Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons

The General Assembly,

Bearing in mind the need to allay the legitimate concern of the States of the world with regard to ensuring lasting security for their peoples,

Convinced that nuclear weapons pose the greatest threat to mankind and to the survival of civilization,

Welcoming the progress achieved in recent years in both nuclear and conventional disarmament,

Noting that, despite recent progress in the field of nuclear disarmament, further efforts are necessary towards the achievement of the goal of general and complete disarmament under effective international control,

Also convinced that nuclear disarmament and the complete elimination of nuclear weapons are essential to remove the danger of nuclear war,

Determined strictly to abide by the relevant provisions of the Charter of the United Nations on the non-use of force or threat of force,

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Recognizing that the independence, territorial integrity and sovereignty of non-nuclear-weapon States need to be safeguarded against the use or threat of use of force, including the use or threat of use of nuclear weapons,

Considering that, until nuclear disarmament is achieved on a universal basis, it is imperative for the international community to develop effective measures and arrangements to ensure the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons from any quarter,

Recognizing also that effective measures and arrangements to assure the non-nuclear-weapon States against the use or threat of use of nuclear weapons can contribute positively to the prevention of the spread of nuclear weapons,

Bearing in mind paragraph 59 of the Final Document of the Tenth Special Session of the General Assembly, 1/ the first special session devoted to disarmament, in which it urged the nuclear-weapon States to pursue efforts to conclude, as appropriate, effective arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, and desirous of promoting the implementation of the relevant provisions of the Final Document,

Recalling the relevant parts of the special report of the Committee on Disarmament, 2/ submitted to the General Assembly at its twelfth special session, 3/ the second special session devoted to disarmament, and of the special report of the Conference on Disarmament submitted to the Assembly at its fifteenth special session, 4/ the third special session devoted to disarmament, as well as of the report of the Conference on its 1992 session, 5/

Recalling also paragraph 12 of the Declaration of the 1980s as the Second Disarmament Decade, contained in the annex to its resolution 35/46 of 3 December 1980, which states, inter alia, that all efforts should be exerted by the Committee on Disarmament 2/ urgently to negotiate with a view to reaching agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,

Noting the in-depth negotiations undertaken in the Conference on Disarmament and its Ad Hoc Committee on Effective International Arrangements to Assure Non-Nuclear-Weapon States against the Use or Threat of Use of Nuclear Weapons, 6/ with a view to reaching agreement on this item,

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1/ Resolution S-10/2.

2/ The Committee on Disarmament was redesignated the Conference on Disarmament as from 7 February 1984.

3/ Official Records of the General Assembly, Twelfth Special Session, Supplement No. 2 (A/S-12/2), sect. III.C.

4/ Ibid., Fifteenth Special Session, Supplement No. 2 (A/S-15/2), sect. III.F.

5/ Ibid., Forty-seventh Session, Supplement No. 27 (A/47/27), sect. III.F.

6/ Ibid., Forty-eighth Session, Supplement No. 27 (A/48/27), para. 39.

Taking note of the proposals submitted under that item in the Conference on Disarmament, including the drafts of an international convention,

Taking note also of the decision adopted by the Tenth Conference of Heads of State or Government of Non-Aligned Countries, held at Jakarta from 1 to 6 September 1992, _7_/ as well as the relevant recommendations of the Organization of the Islamic Conference reiterated in the Final Communiqué of the Twentieth Islamic Conference of Foreign Ministers, held at Istanbul from 4 to 8 August 1991, _8_/ calling upon the Conference on Disarmament to reach an urgent agreement on an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,

Taking note further of the unilateral declarations made by all nuclear-weapon States on their policies of non-use or non-threat of use of nuclear weapons against non-nuclear-weapon States,

Noting the support expressed in the Conference on Disarmament and in the General Assembly for the elaboration of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, as well as the difficulties pointed out in evolving a common approach acceptable to all,

Noting also the greater willingness to overcome the difficulties encountered in previous years,

Recalling its relevant resolutions adopted in previous years, in particular resolutions 45/54 of 4 December 1990, 46/32 of 6 December 1991, 47/50 of 9 December 1992 and 48/73 of 16 December 1993,

1. _Reaffirms_ the urgent need to reach an early agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons;

2. _Notes with satisfaction_ that in the Conference on Disarmament there is no objection, in principle, to the idea of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, although the difficulties as regards evolving a common approach acceptable to all have also been pointed out;

3. _Appeals_ to all States, especially the nuclear-weapon States, to work actively towards an early agreement on a common approach and, in particular, on a common formula that could be included in an international instrument of a legally binding character;

_7_/ See A/47/675-S/24816, annex, chap. II, para. 47; see _Official Records of the Security Council, Forty-seventh Year, Supplement for October, November and December 1992_, document S/24816.

_8_/ See A/46/486-S/23055, annex I; see _Official Records of the Security Council, Forty-sixth Year, Supplement for July, August and September 1991_, document S/23055.

/...

4. Recommends that further intensive efforts should be devoted to the search for such a common approach or common formula and that the various alternative approaches, including, in particular, those considered in the Conference on Disarmament, should be further explored in order to overcome the difficulties;

5. Recommends also that the Conference on Disarmament should actively continue intensive negotiations with a view to reaching early agreement and concluding effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, taking into account the widespread support for the conclusion of an international convention and giving consideration to any other proposals designed to secure the same objective;

6. Decides to include in the provisional agenda of its fiftieth session the item entitled "Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons".

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15 December 1994

UNITED NATIONS

A

General Assembly

Distr.
GENERAL

A/RES/49/74
9 January 1995

Forty-ninth session
Agenda item 61

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the First Committee (A/49/698)]

49/74. Prevention of an arms race in outer space

The General Assembly,

Recognizing the common interest of all mankind in the exploration and use of outer space for peaceful purposes,

Reaffirming the will of all States that the exploration and use of outer space, including the Moon and other celestial bodies, shall be for peaceful purposes, shall be carried out for the benefit and in the interest of all countries, irrespective of their degree of economic or scientific development, and shall be the province of all mankind,

Reaffirming also provisions of articles III and IV of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, 1/

Recalling the obligation of all States to observe the provisions of the Charter of the United Nations regarding the use or threat of use of force in their international relations, including in their space activities,

Reaffirming further paragraph 80 of the Final Document of the Tenth Special Session of the General Assembly, 2/ in which it is stated that in order to prevent an arms race in outer space further measures should be taken and appropriate international negotiations held in accordance with the spirit of the Treaty,

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1/ Resolution 2222 (XXI), annex.

2/ Resolution S-10/2.

/...

Recalling also its previous resolutions on this issue and the Final Document adopted by the Tenth Conference of Heads of State or Government of Non-Aligned Countries, held at Jakarta from 1 to 6 September 1992, [3/] and taking note of the proposals submitted to the General Assembly at its tenth special session and at its regular sessions, and of the recommendations made to the competent organs of the United Nations and to the Conference on Disarmament,

Recognizing the grave danger for international peace and security of an arms race in outer space and of developments contributing to it,

Emphasizing the paramount importance of strict compliance with existing arms limitation and disarmament agreements relevant to outer space, including bilateral agreements, and with the existing legal regime concerning the use of outer space,

Considering that wide participation in the legal regime applicable to outer space could contribute to enhancing its effectiveness,

Noting that bilateral negotiations, begun in 1985 between the Union of Soviet Socialist Republics and the United States of America, were conducted with the declared objective of working out effective agreements aimed, *inter alia*, at preventing an arms race in outer space,

Welcoming the re-establishment of the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space at the 1994 session of the Conference on Disarmament, in the exercise of the negotiating responsibilities of this sole multilateral body on disarmament, to continue to examine and identify, through substantive and general consideration, issues relevant to the prevention of an arms race in outer space,

Noting also that the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space, taking into account its previous efforts since its establishment in 1985 and seeking to enhance its functioning in qualitative terms, continued the examination and identification of various issues, existing agreements and existing proposals, as well as future initiatives relevant to the prevention of an arms race in outer space, [4/] and that this contributed to a better understanding of a number of problems and to a clearer perception of the various positions,

Emphasizing the mutually complementary nature of bilateral and multilateral efforts in the field of preventing an arms race in outer space, and hoping that concrete results will emerge from those efforts as soon as possible,

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[3/] See A/47/675-S/24816, annex, chap. II, para. 45; see *Official Records of the Security Council, Forty-seventh Year, Supplement for October, November and December 1992*, document S/24816.

[4/] See *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 27* (A/49/27), para. 32 (para. 5 of the quoted text).

/...

Convinced that further measures should be examined in the search for effective and verifiable bilateral and multilateral agreements in order to prevent an arms race in outer space,

Stressing that the growing use of outer space increases the need for greater transparency and better information on the part of the international community,

Recalling in this context its previous resolutions, in particular resolutions 45/55 B of 4 December 1990, 47/51 of 9 December 1992 and 48/74 A of 16 December 1993, in which, *inter alia*, it reaffirmed the importance of confidence-building measures as means conducive to ensuring the attainment of the objective of the prevention of an arms race in outer space,

Conscious of the benefits of confidence- and security-building measures in the military field,

Recognizing that there was wide agreement in the Ad Hoc Committee that the conclusion of an international agreement or agreements to prevent an arms race in outer space remained the fundamental task of the Committee and that the concrete proposals on confidence-building measures could form an integral part of such agreements,

1. **Reaffirms** the importance and urgency of preventing an arms race in outer space and the readiness of all States to contribute to that common objective, in conformity with the provisions of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies;

2. **Reaffirms its recognition**, as stated in the report of the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space, that the legal regime applicable to outer space by itself does not guarantee the prevention of an arms race in outer space, that this legal regime plays a significant role in the prevention of an arms race in that environment, that there is a need to consolidate and reinforce that regime and enhance its effectiveness, and that it is important strictly to comply with existing agreements, both bilateral and multilateral;

3. **Emphasizes** the necessity of further measures with appropriate and effective provisions for verification to prevent an arms race in outer space;

4. **Calls upon** all States, in particular those with major space capabilities, to contribute actively to the objective of the peaceful use of outer space and of the prevention of an arms race in outer space and to refrain from actions contrary to that objective and to the relevant existing treaties in the interest of maintaining international peace and security and promoting international cooperation;

5. **Reiterates** that the Conference on Disarmament, as the single multilateral disarmament negotiating forum, has the primary role in the negotiation of a multilateral agreement or agreements, as appropriate, on the prevention of an arms race in outer space in all its aspects;

6. **Requests** the Conference on Disarmament to consider as a matter of priority the question of preventing an arms race in outer space;

7. Also requests the Conference on Disarmament to intensify its consideration of the question of the prevention of an arms race in outer space in all its aspects, building upon areas of convergence and taking into account relevant proposals and initiatives, including those presented in the Ad Hoc Committee at the 1994 session of the Conference and at the forty-ninth session of the General Assembly;

8. Further requests the Conference on Disarmament to re-establish an ad hoc committee with an adequate mandate at the beginning of its 1995 session and to continue building upon areas of convergence, taking into account the work undertaken since 1985, with a view to undertaking negotiations for the conclusion of an agreement or agreements, as appropriate, to prevent an arms race in outer space in all its aspects;

9. Recognizes, in this respect, the growing convergence of views on the elaboration of measures designed to strengthen transparency, confidence and security in the peaceful uses of outer space;

10. Urges the Russian Federation and the United States of America to resume their bilateral negotiations with a view to reaching early agreement for preventing an arms race in outer space, and to advise the Conference on Disarmament periodically of the progress of their bilateral sessions so as to facilitate its work;

11. Decides to include in the provisional agenda of its fiftieth session the item entitled "Prevention of an arms race in outer space".

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15 December 1994

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/RES/49/75
9 January 1995

Forty-ninth session
Agenda item 62

RESOLUTIONS ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the First Committee (A/49/699)]

49/75. General and complete disarmament

A

Prohibition of the dumping of radioactive wastes

The General Assembly,

Bearing in mind resolutions CM/Res.1153 (XLVIII) of 1988 1/ and CM/Res.1225 (L) of 1989, 2/ adopted by the Council of Ministers of the Organization of African Unity, concerning the dumping of nuclear and industrial wastes in Africa,

Welcoming resolution GC(XXXIII)/RES/509 on the dumping of nuclear wastes, adopted on 29 September 1989 by the General Conference of the International Atomic Energy Agency at its thirty-third regular session, 3/

1/ See A/43/398, annex I.

2/ See A/44/603, annex I.

3/ See International Atomic Energy Agency, Resolutions and Other Decisions of the General Conference, Thirty-third Regular Session, 25-29 September 1989 (GC(XXXIII)/RESOLUTIONS(1989)).

Welcoming also resolution GC(XXXIV)/RES/530 establishing a Code of Practice on the International Transboundary Movement of Radioactive Waste, adopted on 21 September 1990 by the General Conference of the International Atomic Energy Agency at its thirty-fourth regular session, 4/

Considering its resolution 2602 C (XXIV) of 16 December 1969, in which it requested the Conference of the Committee on Disarmament, 5/ *inter alia*, to consider effective methods of control against the use of radiological methods of warfare,

Recalling resolution CM/Res.1356 (LIV) of 1991, adopted by the Council of Ministers of the Organization of African Unity, 6/ on the Bamako Convention on the Ban on the Import of Hazardous Wastes into Africa and on the Control of Their Transboundary Movements within Africa,

Aware of the potential hazards underlying any use of radioactive wastes that would constitute radiological warfare and its implications for regional and international security, in particular for the security of developing countries,

Recalling its resolutions 43/75 Q of 7 December 1988, 44/116 R of 15 December 1989, 45/58 K of 4 December 1990, 46/36 K of 6 December 1991, 47/52 D of 9 December 1992 and 48/75 D of 16 December 1993,

Desirous of promoting the implementation of paragraph 76 of the Final Document of the Tenth Special Session of the General Assembly, 7/

1. *Takes note* of the part of the report of the Conference on Disarmament relating to a future convention on the prohibition of radiological weapons; 8/

2. *Expresses grave concern* regarding any use of nuclear wastes that would constitute radiological warfare and have grave implications for the national security of all States;

3. *Calls upon* all States to take appropriate measures with a view to preventing any dumping of nuclear or radioactive wastes that would infringe upon the sovereignty of States;

4/ Ibid., *Thirty-fourth Regular Session*, 17-21 September 1990 (GC(XXXIV)/RESOLUTIONS(1990)).

5/ The Conference of the Committee on Disarmament became the Committee on Disarmament as from the tenth special session of the General Assembly. The Committee on Disarmament was redesignated the Conference on Disarmament as from 7 February 1984.

6/ See A/46/390, annex I.

7/ Resolution S-10/2.

8/ *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 27* (A/49/27), sect. III.F.

/...

4. *Requests* the Conference on Disarmament to take into account, in the negotiations for a convention on the prohibition of radiological weapons, radioactive wastes as part of the scope of such a convention;

5. *Also requests* the Conference on Disarmament to intensify efforts towards an early conclusion of such a convention and to include in its report to the General Assembly at its fiftieth session the progress recorded in the negotiations on this subject;

6. *Takes note* of resolution CM/Res.1356 (LIV) of 1991, adopted by the Council of Ministers of the Organization of African Unity, on the Bamako Convention on the Ban on the Import of Hazardous Wastes into Africa and on the Control of Their Transboundary Movements within Africa;

7. *Expresses the hope* that the effective implementation of the International Atomic Energy Agency Code of Practice on the International Transboundary Movement of Radioactive Waste will enhance the protection of all States from the dumping of radioactive wastes on their territories;

8. *Requests* the International Atomic Energy Agency to continue keeping the subject under active review, including the desirability of concluding a legally binding instrument in this field;

9. *Decides* to include in the provisional agenda of its fiftieth session the item entitled "Prohibition of the dumping of radioactive wastes".

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B

Review of the Declaration of the 1990s as the Third Disarmament Decade

The General Assembly,

Recalling its resolution 45/62 A of 4 December 1990, by which it adopted the text of the Declaration of the 1990s as the Third Disarmament Decade and declared the 1990s as the Third Disarmament Decade,

Noting the great changes in international relations that have occurred since the adoption of the Declaration in 1990,

Noting in particular the end of the cold war and bipolar rivalries between the East and the West, thus heralding a new era of cooperation in international relations,

Alarmed, nevertheless, at the outbursts of ethnic and nationalist conflicts as well as disturbing issues in arms control and disarmament in different parts of the world and the consequent deterioration in security situations in these areas, with negative implications for international peace and security,

Convinced of the need to review and assess the achievement of the objectives of the Declaration and, if need be, to adapt them to meet the new challenges of the post-cold-war era,

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1. *Decides* to undertake, at its fiftieth session, the middle of the Decade, a review and appraisal of the implementation of the Declaration of the 1990s as the Third Disarmament Decade;

2. *Requests* the Disarmament Commission, at its 1995 session, to make a preliminary assessment of the implementation of the Declaration as well as suggestions that may be put forward to ensure appropriate progress, and to submit a report to the General Assembly at its fiftieth session;

3. *Also requests* the Disarmament Commission to include in the agenda of its 1995 substantive session an item entitled "Review of the Declaration of the 1990s as the Third Disarmament Decade";

4. *Calls upon* the Disarmament Commission to include in its assessment relevant matters which, in the view of Member States, require such review;

5. *Requests* Member States to submit to the Secretary-General their views and suggestions on such a review no later than 30 April 1995;

6. *Requests* the Secretary-General to give all necessary assistance to the Disarmament Commission in implementing the present resolution;

7. *Decides* to include in the provisional agenda of its fiftieth session an item entitled "Review of the Declaration of the 1990s as the Third Disarmament Decade".

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C

Transparency in armaments

The General Assembly,

Recalling its resolutions 46/36 L of 9 December 1991, 47/52 L of 15 December 1992 and 48/75 E of 16 December 1993 entitled "Transparency in armaments",

Continuing to take the view that an enhanced level of transparency in armaments contributes greatly to confidence-building and security among States and that the establishment of the United Nations Register of Conventional Arms [9] constitutes an important step forward in the promotion of transparency in military matters,

Welcoming the consolidated report of the Secretary-General on the Register, [10] which includes the returns of Member States for 1993,

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[9] See resolution 46/36 L.

[10] A/49/352 of 1 September 1994 and Corr.1, and Add.1 and 2 of 4 and 17 November 1994.

Welcoming also the response of Member States to the request contained in paragraphs 9 and 10 of resolution 46/36 L to provide data on their imports and exports of arms, as well as available background information regarding their military holdings, procurement through national production and relevant policies,

Stressing that the continuing operation of the Register and its further development should be reviewed in order to secure a Register which is capable of attracting the widest possible participation,

Taking note of the report of the Conference on Disarmament on its agenda item entitled "Transparency in armaments", [11]

1. *Reaffirms its determination* to ensure the effective operation of the United Nations Register of Conventional Arms as provided for in paragraphs 7, 8, 9 and 10 of resolution 46/36 L;

2. *Takes note* of the report of the Secretary-General of 22 September 1994 on the continuing operation of the Register and its further development [12] and the recommendations contained therein;

3. *Calls upon* Member States to provide the requested data and information for the Register, on the basis of resolutions 46/36 L and 47/52 L and the annex and appendices to the report of the Secretary-General on the continuing operation of the Register and its further development, to the Secretary-General by 30 April annually;

4. *Decides*, with a view to further development of the Register, to keep the scope of and participation in the Register under review, and, to this end:

(*a*) Requests Member States to provide the Secretary-General with their views on the continuing operation of the Register and its further development and on transparency measures related to weapons of mass destruction;

(*b*) Requests the Secretary-General, with the assistance of a group of governmental experts to be convened in 1997, on the basis of equitable geographical representation, to prepare a report on the continuing operation of the Register and its further development, taking into account work of the Conference on Disarmament, the views expressed by Member States and the 1994 report of the Secretary-General on the continuing operation of the Register and its further development, with a view to a decision at its fifty-second session;

5. *Requests* the Secretary-General to ensure that sufficient resources are made available for the Secretariat to operate and maintain the Register;

6. *Invites* the Conference on Disarmament to consider continuing its work undertaken in the field of transparency in armaments;

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[11] See *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 27* (A/49/27), sect. III.H.

[12] A/49/316.

7. Reiterates its call upon all Member States to cooperate at the regional and subregional levels, taking fully into account the specific conditions prevailing in the region or subregion, with a view to enhancing and coordinating international efforts aimed at increased openness and transparency in armaments;

8. Also requests the Secretary-General to report to the General Assembly at its fiftieth session on progress made in implementing the present resolution;

9. Decides to include in the provisional agenda of its fiftieth session the item entitled "Transparency in armaments".

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D

Moratorium on the export of anti-personnel land-mines

The General Assembly,

Recalling with satisfaction its resolution 48/75 K of 16 December 1993, by which it, inter alia, called upon States to agree to a moratorium on the export of anti-personnel land-mines that pose grave dangers to civilian populations, and urged States to implement such a moratorium,

Noting that there are approximately 85 million or more anti-personnel land-mines in the ground throughout the world and that many thousands of such mines continue to be laid in an indiscriminate manner,

Expressing deep concern that anti-personnel land-mines kill or maim hundreds of people every week, mostly unarmed civilians, obstruct economic development and reconstruction and have other severe consequences, which include inhibiting the repatriation of refugees and the return of internally displaced persons,

Welcoming the programmes of assistance which exist for demining and humanitarian support for the victims of anti-personnel land-mines,

Gravely concerned with the suffering and casualties caused to non-combatants as a result of the proliferation, as well as the indiscriminate and irresponsible use, of anti-personnel land-mines,

Recognizing that States can move most effectively towards the ultimate goal of the eventual elimination of anti-personnel land-mines as viable and humane alternatives are developed,

Recalling with satisfaction the report of the Secretary-General 13/ concerning progress on the initiative in the aforementioned resolution,

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13/ A/49/275 of 27 July 1994 and Add.1 of 31 October 1994.

/...

Convinced that moratoriums by States exporting anti-personnel land-mines that pose grave dangers to civilian populations are important measures in helping to reduce substantially the human and economic costs resulting from the use of such devices,

Noting with satisfaction that many States already have declared moratoriums on the export, transfer or sale of anti-personnel land-mines and related devices, with many of these moratoriums being declared as a result of the aforementioned resolution,

Believing that ongoing efforts to strengthen the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, 14/ particularly its Protocol II, 15/ are an important part of the overall effort to address problems caused by anti-personnel land-mines,

Recalling with satisfaction its resolution 48/7 of 19 October 1993 calling for assistance in mine clearance,

1. *Welcomes* the moratoriums already declared by certain States on the export of anti-personnel land-mines;

2. *Urges* States that have not yet done so to declare such moratoriums at the earliest possible date;

3. *Requests* the Secretary-General to prepare a report on steps taken by Member States to implement such moratoriums and to submit it to the General Assembly at its fiftieth session under the item entitled "General and complete disarmament";

4. *Emphasizes* the importance of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects and its Protocols as the authoritative international instrument governing the responsible use of anti-personnel land-mines and related devices;

5. *Urges* States that have not done so to adhere to the Convention and its Protocols;

6. *Encourages* further international efforts to seek solutions to the problems caused by anti-personnel land-mines, with a view to their eventual elimination.

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14/ See *The United Nations Disarmament Yearbook*, vol. 5: 1980 (United Nations publication, Sales No. E.81.IX.4), appendix VII.

15/ Ibid., Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices.

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E

Step-by-step reduction of the nuclear threat

The General Assembly,

Bearing in mind the goal of the total elimination of nuclear weapons,

Desiring to reduce, progressively and systematically, the threat posed by nuclear weapons,

Welcoming the respite from the intense competition in the accumulation of weapons-grade fissile materials, in the production of nuclear warheads and in the deployment of nuclear-weapon systems which characterized the cold war,

Mindful that processing of special fissionable material for weapon purposes and production of nuclear warheads continues at a steady pace in some States, and that many thousands of nuclear-weapon systems remain deployed at the brink of war,

Welcoming also the standing down of some nuclear-weapon systems from full alert and the elimination of certain types of weapons,

Mindful also that the military doctrines regarding the threat of use of nuclear weapons remain unaltered, and that most agreed reductions do not entail destruction of the nuclear warheads or delivery vehicles,

Welcoming further the steps taken to increase transparency in armaments and the emerging pattern of closing or converting nuclear-weapon production facilities,

Mindful further of the continuing lack of internationally verified inventories of the nuclear arsenals and that plans for the redirection of nuclear-weapon facilities to the task of dismantlement of the nuclear arsenals are only at an early state of development,

Wishing to further current efforts regarding multilateral negotiations and agreements, and conscious of the urgent need for expeditious action for this purpose,

Confident that the Conference on Disarmament can serve as an effective multilateral disarmament negotiating forum, as envisioned at its 1978 special session devoted to disarmament 16/ and as evidenced recently by the successful conclusion of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, 17/

Persuaded that agreement upon a five- to ten-year agenda on nuclear arms control would provide a needed overall sense of direction to global disarmament efforts,

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16/ See resolution S-10/2, para. 120.

17/ See Official Records of the General Assembly, Forty-seventh Session, Supplement No. 27 (A/47/27), appendix I.

Convinced that the successful pursuit of such an agenda would significantly advance the goal of the elimination of nuclear weapons from national arsenals,

1. Identifies the following general areas for step-by-step reduction of the nuclear threat:

Area A. Steps to counter, inter alia:

(a) The acquisition and processing of special fissionable material for nuclear-weapon purposes;

(b) The manufacture and testing of nuclear warheads and their delivery vehicles;

(c) The assembly and deployment of nuclear-weapon systems;

by such means as:

(i) Prohibiting the test explosion of nuclear weapons;

(ii) Cutting off the production of special fissile materials for weapon purposes;

(iii) Ending production of nuclear warheads;

(iv) Ending the production and testing of intermediate- and long-range ballistic missiles for nuclear-weapon purposes;

(v) Effective, legally binding measures to deter the use or threat of use of nuclear weapons;

(vi) Other related measures;

Area B. Steps to actuate, inter alia:

(a) The withdrawal from deployment and disassembly of nuclear-weapon systems;

(b) The secure storage and dismantlement of nuclear warheads and their delivery vehicles;

(c) The elimination of special fissionable materials for nuclear-weapon purposes;

by such means as:

(i) Standing down nuclear-weapon systems from high-alert status;

(ii) Separating nuclear warheads from their delivery vehicles;

(iii) Placing nuclear warheads in secure storage;

(iv) Converting delivery vehicles, where appropriate, to peaceful uses;

(v) Removing special nuclear materials from warheads;

/...

(vi) Converting special nuclear materials to non-weapon purposes;

(vii) Other related measures;

Area C. Steps to prepare, under international auspices:

(a) An inventory of the nuclear arsenals, including:

(i) All special fissile materials, nuclear warheads and their delivery vehicles;

(ii) All facilities devoted to the processing, manufacture, assembly and deployment of those items;

(b) A reorientation of those facilities necessary to the task of implementing measures relating to area B;

(c) The closure or conversion to peaceful purposes of all other such facilities in furtherance of measures relating to area A;

2. Asks Member States, in particular the nuclear-weapon States, to consider steps which they might take unilaterally, bilaterally, or in cooperation with other States to promote progress in the identified areas, and fully to inform the international community of any steps taken in this regard;

3. Recommends to the Conference on Disarmament that in 1995 it:

(a) Develop from the three general areas identified in paragraph 1 of the present resolution a comprehensive set of practical, verifiable measures for possible negotiation in their next five- and ten-year periods;

(b) Determine from that set a year-by-year sequence and combination of negotiations on specific measures to be commenced during the next five- and ten-year periods, with due regard to steps taken pursuant to paragraph 2;

4. Requests the Conference on Disarmament to include in its 1995 report to the General Assembly a section on efforts undertaken in accordance with the recommendation set out in paragraph 3;

5. Decides to include in the provisional agenda of its fiftieth session an item entitled "Step-by-step reduction of the nuclear threat".

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F

1995 Review and Extension Conference of States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

The General Assembly,

Recalling its resolution 2373 (XXII) of 12 June 1968, the annex to which contains the Treaty on the Non-Proliferation of Nuclear Weapons,[18]

Noting the provisions of article X, paragraph 2, of that Treaty, which stipulates the holding of a conference twenty-five years after the entry into force of the Treaty to decide whether the Treaty shall continue in force indefinitely or shall be extended for an additional fixed period or periods,

Desirous of ensuring the consolidation of the Treaty with a view to achieving ultimately the elimination of nuclear weapons,

Aware of the need for the Treaty to attain universal adherence,

Convinced that the decision on the extension of the Treaty should lead to further progress in nuclear disarmament, in accordance with the preamble and article VI of the Treaty,

Noting, therefore, the necessity of giving careful consideration to all possible options in order to take a decision that is appropriate and capable of strengthening the non-proliferation regime in the pursuit of the ultimate objective of the elimination of nuclear weapons,

Conscious of the fact that there are various interpretations which have been expressed concerning the application of article X, paragraph 2, of the Treaty,

1. *Calls upon* States parties to the Treaty on the Non-Proliferation of Nuclear Weapons to give appropriate consideration to the import of the Treaty in its entirety and with special attention to its article X, paragraph 2;

2. *Invites* States parties to provide their legal interpretations of article X, paragraph 2, of the Treaty and their views on the different options and actions available, for compilation by the Secretary-General as a background document of the 1995 Review and Extension Conference of States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, well before the holding of that Conference.

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[18] United Nations, *Treaty Series*, vol. 729, No. 10485.

G

Assistance to States for curbing the illicit traffic in small arms and collecting them

The General Assembly,

Recalling its resolutions 46/36 H of 6 December 1991, 47/52 G and 47/52 J of 9 December 1992 and 48/75 H and 48/75 J of 16 December 1993,

Considering that the circulation of massive quantities of small arms throughout the world impedes development and is a source of increased insecurity,

Considering also that the illicit international transfer of small arms and their accumulation in many countries constitute a threat to the populations and to national and regional security and is a factor contributing to the destabilization of States,

Basing itself on the statement of the Secretary-General relating to the request of Mali concerning United Nations assistance for the collection of small arms,

Gravely concerned at the extent of the insecurity and banditry linked to the illicit circulation of small arms in Mali and the other affected States of the Saharo-Sahelian subregion,

Taking note of the first conclusions of the United Nations Advisory Mission sent to Mali by the Secretary-General to study the best way of curbing the illicit circulation of small arms and ensuring their collection,

Noting the interest shown by other States of the subregion in receiving the United Nations Advisory Mission,

Noting also the actions taken and those recommended at the meetings of the States of the subregion held at Banjul, Algiers and Bamako to establish close regional cooperation with a view to strengthening security,

1. Welcomes the initiative taken by Mali concerning the question of the illicit circulation of small arms and their collection in the affected States of the Saharo-Sahelian subregion;

2. Also welcomes the action taken by the Secretary-General in implementation of this initiative;

3. Thanks the Government of Mali for the appreciable help which it has given to the United Nations Advisory Mission, and welcomes the declared readiness of other States of the subregion to receive the Mission;

4. Congratulates the Secretary-General on his action within the context of the relevant provisions of resolution 40/151 H of 16 December 1985, and encourages him to continue his efforts to curb the illicit circulation of small arms and to collect such arms in the affected States which so request, with the support of the United Nations Regional Centre for Peace and Disarmament in Africa and in close cooperation with the Organization of African Unity;

/...

5. Invites Member States to implement national control measures in order to check the illicit circulation of small arms, in particular by curbing the illegal export of such arms;

6. Invites the international community to give appropriate support to the efforts made by the affected countries to suppress the illicit circulation of small arms, which is likely to hamper their development;

7. Requests the Secretary-General to report to the General Assembly on this issue at its fiftieth session.

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H

Nuclear disarmament with a view to the ultimate elimination of nuclear weapons

The General Assembly,

Recognizing that the end of the cold war has increased the possibility of creating a world free from the fear of nuclear war,

Welcoming the efforts of the Russian Federation and the United States of America for nuclear disarmament and the conclusion of the two treaties on the reduction and limitation of strategic offensive arms, and looking forward to their early entry into force,

Welcoming also the efforts of other nuclear-weapon States in the field of nuclear disarmament,

Attaching great importance to the contribution which the Treaty on the Non-Proliferation of Nuclear Weapons 18/ has made to the peace and security of the world since its entry into force in 1970,

Welcoming the positive developments in the negotiations for a comprehensive nuclear-test-ban treaty based on the consensus achieved at its forty-eighth session,

1. Urges States not parties to the Treaty on the Non-Proliferation of Nuclear Weapons to accede to it at the earliest possible date, recognizing the importance of the universality of the Treaty;

2. Calls upon the nuclear-weapon States to pursue their efforts for nuclear disarmament with the ultimate objective of the elimination of nuclear weapons in the framework of general and complete disarmament, and calls upon all States to implement fully their commitments in the field of disarmament and non-proliferation of weapons of mass destruction.

90th plenary meeting
15 December 1994

I

Convening of the fourth special session of the General Assembly devoted to disarmament

The General Assembly,

Recalling that three special sessions of the General Assembly devoted to disarmament were held in 1978, 1982 and 1988,

Bearing in mind the Final Document of the Tenth Special Session of the General Assembly, 7/ the first special session devoted to disarmament, and the final objective of general and complete disarmament under effective international control,

Welcoming the recent positive changes in the international landscape, characterized by the end of the cold war, the relaxation of tensions at the global level and the emergence of a new spirit governing relations among nations,

Stressing the central role of the United Nations for the promotion of disarmament, peace and security,

1. Decides, in principle, to convene, in 1997 if possible, the fourth special session of the General Assembly devoted to disarmament, the date to be determined at its fiftieth session;

2. Also decides to include in the provisional agenda of its fiftieth session an item entitled "Fourth special session of the General Assembly devoted to disarmament".

90th plenary meeting
15 December 1994

J

Relationship between disarmament and development

The General Assembly,

Recalling the provisions of the Final Document of the Tenth Special Session of the General Assembly 7/ concerning the relationship between disarmament and development,

Recalling also the adoption on 11 September 1987 of the Final Document of the International Conference on the Relationship between Disarmament and Development, 19/

Recalling further its resolution 48/75 A of 16 December 1993,

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19/ United Nations publication, Sales No. E.87.IX.8.

Bearing in mind the final documents of the Tenth Conference of Heads of State or Government of Non-Aligned Countries, held at Jakarta in September 1992, 20/

Stressing the growing importance of the symbiotic relationship between disarmament and development in current international relations,

1. Welcomes the report of the Secretary-General of 5 October 1994 21/ and actions undertaken in accordance with the Final Document of the International Conference on the Relationship between Disarmament and Development;

2. Requests the Secretary-General to continue to take action, through appropriate organs and within available resources, for the implementation of the action programme adopted at the International Conference; 22/

3. Also requests the Secretary-General to submit a report to the General Assembly at its fiftieth session;

4. Decides to include in the provisional agenda of its fiftieth session the item entitled "Relationship between disarmament and development".

90th plenary meeting
15 December 1994

K

Request for an advisory opinion from the International Court of Justice on the legality of the threat or use of nuclear weapons

The General Assembly,

Conscious that the continuing existence and development of nuclear weapons pose serious risks to humanity,

Mindful that States have an obligation under the Charter of the United Nations to refrain from the threat or use of force against the territorial integrity or political independence of any State,

Recalling its resolutions 1653 (XVI) of 24 November 1961, 33/71 B of 14 December 1978, 34/83 G of 11 December 1979, 35/152 D of 12 December 1980, 36/92 I of 9 December 1981, 45/59 B of 4 December 1990 and 46/37 D of 6 December 1991, in which it declared that the use of nuclear weapons would be a violation of the Charter and a crime against humanity,

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20/ See A/47/675-S/24816, annex.

21/ A/49/476.

22/ United Nations publication, Sales No. E.87.IX.8, para. 35.

/...

Welcoming the progress made on the prohibition and elimination of weapons of mass destruction, including the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction [23] and the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, [17]

Convinced that the complete elimination of nuclear weapons is the only guarantee against the threat of nuclear war,

Noting the concerns expressed in the Fourth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons that insufficient progress had been made towards the complete elimination of nuclear weapons at the earliest possible time,

Recalling that, convinced of the need to strengthen the rule of law in international relations, it has declared the period 1990-1999 the United Nations Decade of International Law, [24]

Noting that Article 96, paragraph 1, of the Charter empowers the General Assembly to request the International Court of Justice to give an advisory opinion on any legal question,

Recalling the recommendation of the Secretary-General, made in his report entitled "An Agenda for Peace", [25] that United Nations organs that are authorized to take advantage of the advisory competence of the International Court of Justice turn to the Court more frequently for such opinions,

Welcoming resolution 46/40 of 14 May 1993 of the Assembly of the World Health Organization, in which the organization requested the International Court of Justice to give an advisory opinion on whether the use of nuclear weapons by a State in war or other armed conflict would be a breach of its obligations under international law, including the Constitution of the World Health Organization,

Decides, pursuant to Article 96, paragraph 1, of the Charter of the United Nations, to request the International Court of Justice urgently to render its advisory opinion on the following question: "Is the threat or use of nuclear weapons in any circumstance permitted under international law?".

90th plenary meeting
15 December 1994

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[23] Resolution 2826 (XXVI), annex.

[24] Resolution 44/23.

[25] A/47/277-S/24111.

L

Bilateral nuclear-arms negotiations and nuclear disarmament

The General Assembly,

Recalling its previous relevant resolutions,

Recognizing the fundamental changes that have taken place with respect to international security, which have permitted agreements on deep reductions in the nuclear armaments of the States possessing the largest inventories of such weapons,

Mindful that it is the responsibility and obligation of all States to contribute to the process of the relaxation of international tension and to the strengthening of international peace and security,

Stressing the importance of strengthening international peace and security through disarmament,

Emphasizing that nuclear disarmament remains one of the principal tasks of our times,

Stressing also that it is the responsibility of all States to adopt and implement measures towards the attainment of general and complete disarmament under effective international control,

Appreciating a number of positive developments in the field of nuclear disarmament, in particular the treaty concluded on 8 December 1987 between the former Union of Soviet Socialist Republics and the United States of America on the elimination of their intermediate-range and shorter-range missiles, [26] and the treaties on the reduction and limitation of strategic offensive arms,

Noting that there are still significant nuclear arsenals and that the primary responsibility for nuclear disarmament, with the objective of the elimination of nuclear weapons, rests with the nuclear-weapon States, in particular those which possess the largest stockpiles,

Welcoming the steps that have already been taken by those States to begin the process of reducing the number of nuclear weapons and removing such weapons from a deployed status, and bilateral agreements on the issue of de-targeting strategic nuclear missiles,

Noting the new climate of relations between the United States of America and the States of the former Soviet Union, which permits them to intensify their cooperative efforts to ensure the safety, security and environmentally sound destruction of nuclear weapons,

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[26] United Nations Disarmament Yearbook, vol. 12: 1987 (United Nations publication, Sales No. E.88.IX.2), appendix VII.

Noting also that the Russian Federation and the United States of America concurred that, once their Treaty on the Further Reduction and Limitation of Strategic Offensive Arms was ratified, they would proceed to deactivate all strategic delivery systems to be reduced under the Treaty by removing their nuclear warheads or taking other steps to remove them from alert status,

Noting further the agreement between the Russian Federation and the United States of America to intensify their dialogue to compare conceptual approaches and to develop concrete steps to adapt the nuclear forces and practices on both sides to the changed international security situation, including the possibility, after ratification of the Treaty on the Further Reduction and Limitation of Strategic Offensive Arms, of further reduction of and limitations on remaining nuclear forces,

Urging the further intensification of such efforts to accelerate the implementation of agreements and unilateral decisions relating to nuclear-arms reduction,

Welcoming the reductions made by other nuclear-weapon States in some of their nuclear-weapon programmes, and encouraging all nuclear-weapon States to consider appropriate measures relating to nuclear disarmament,

Affirming that bilateral and multilateral negotiations on nuclear disarmament should facilitate and complement each other,

1. Welcomes the actions taken towards the ratification of the Treaty on the Reduction and Limitation of Strategic Offensive Arms signed in Moscow on 31 July 1991 by the former Union of Soviet Socialist Republics and the United States of America and the protocol to that Treaty signed at Lisbon on 23 May 1992 by the four parties thereto, and urges the parties to take the necessary steps to ensure its entry into force at the earliest possible date;

2. Also welcomes the signing of the Treaty between the Russian Federation and the United States of America on the Further Reduction and Limitation of Strategic Offensive Arms in Moscow on 3 January 1993, and urges the parties to take the steps necessary to bring that Treaty into force at the earliest possible date;

3. Expresses its satisfaction at the continuing implementation of the treaty on the elimination of intermediate-range and shorter-range missiles, 26/ in particular at the completion by the parties of the destruction of all their declared missiles subject to elimination under the treaty;

4. Encourages the United States of America, the Russian Federation, Belarus, Kazakhstan and Ukraine to continue their cooperative efforts aimed at eliminating nuclear weapons and strategic offensive arms on the basis of existing agreements, and welcomes the contributions that other States are making to such cooperation as well;

5. Encourages and supports the Russian Federation and the United States of America in their efforts to reduce their nuclear armaments and to continue to give those efforts the highest priority in order to contribute to the objective of the elimination of nuclear weapons;

6. Invites the Russian Federation and the United States of America to keep other States Members of the United Nations duly informed of progress in their discussions and in the implementation of their strategic offensive arms agreements and unilateral decisions.

90th plenary meeting
15 December 1994

M

Measures to curb the illicit transfer and use of conventional arms

The General Assembly,

Recalling its resolution 46/36 H of 6 December 1991 and its decision 47/419 of 9 December 1992 on international arms transfers,

Recalling also its resolutions 48/75 F and 48/75 H of 16 December 1993 on international arms transfers and measures to curb the illicit transfer and use of conventional weapons, respectively,

Realizing the urgent need to resolve conflicts and to diminish tensions and accelerate efforts towards general and complete disarmament with a view to maintaining regional and international peace and security,

Recognizing that the availability of massive quantities of conventional weapons and especially their illicit transfer, often associated with destabilizing activities, are most disturbing and dangerous phenomena, particularly for the internal situation of affected States and the violation of human rights,

Stressing the need for effective national control measures on the transfer of conventional weapons,

Recognizing also the curbing of the illicit transfer of arms as an important contribution to the relaxation of tension and peaceful reconciliation processes,

Convinced that peace and security are inextricably interlinked with and in some cases imperative for economic development and reconstruction,

1. Invites the Disarmament Commission to:

(a) Expedite its consideration of the agenda item on international arms transfers, with special emphasis on the adverse consequences of the illicit transfer of arms and ammunition;

(b) Study measures to curb the illicit transfer and use of conventional arms;

2. Invites Member States to provide the Secretary-General with relevant information on national control measures on arms transfers with a view to preventing illicit arms transfers and, in this context, to take immediate, appropriate and effective measures to seek to ensure that illicit transfers of arms are discontinued;

/...

3. Requests the Secretary-General to:

(a) Seek the views of Member States on effective ways and means of collecting weapons illicitly transferred in interested countries, as well as on concrete proposals concerning measures at national, regional and international levels to curb the illicit transfer and use of conventional arms;

(b) Study, within the existing resources, upon request from the concerned Member States, the possibilities of the collection of weapons illicitly transferred in the light of the experience gained by the United Nations and the views expressed by Member States and to submit a report on the result of his study to the General Assembly at its fiftieth session;

4. Also requests the Secretary-General to report to the Assembly at its fiftieth session on the implementation of the present resolution;

5. Decides to include in the provisional agenda of its fiftieth session the item entitled "Measures to curb the illicit transfer and use of conventional arms".

90th plenary meeting
15 December 1994

N

Regional disarmament

The General Assembly,

Recalling its resolutions 45/58 P of 4 December 1990, 46/36 I of 6 December 1991, 47/52 J of 9 December 1992 and 48/75 I of 16 December 1993 on regional disarmament,

Believing that the efforts of the international community to move towards the ideal of general and complete disarmament are guided by the inherent human desire for genuine peace and security, the elimination of the danger of war and the release of economic, intellectual and other resources for peaceful pursuits,

Affirming the abiding commitment of all States to the purposes and principles enshrined in the Charter of the United Nations in the conduct of their international relations,

Noting that essential guidelines for progress towards general and complete disarmament were adopted at the tenth special session of the General Assembly, 7/

Taking note of the guidelines and recommendations for regional approaches to disarmament within the context of global security adopted by the Disarmament Commission at its 1993 substantive session, 27/

27/ Official Records of the General Assembly, Forty-eighth Session, Supplement No. 42 (A/48/42), annex II.

Welcoming the prospects of genuine progress in the field of disarmament engendered in recent years as a result of negotiations between the two super-Powers,

Taking note also of the recent proposals for disarmament and nuclear non-proliferation at the regional and subregional levels,

Recognizing the importance of confidence-building measures for regional and international peace and security,

Convinced that endeavours by countries to promote regional disarmament, taking into account the specific characteristics of each region and in accordance with the principle of undiminished security at the lowest level of armaments, would enhance the security of smaller States and would thus contribute to international peace and security by reducing the risk of regional conflicts,

1. Stresses that sustained efforts are needed, within the framework of the Conference on Disarmament and under the umbrella of the United Nations, to make progress on the entire range of disarmament issues;

2. Affirms that global and regional approaches to disarmament complement each other and should therefore be pursued simultaneously to promote regional and international peace and security;

3. Calls upon States to conclude agreements, wherever possible, for nuclear non-proliferation, disarmament and confidence-building measures at regional and subregional levels;

4. Welcomes the initiatives towards disarmament, nuclear non-proliferation and security undertaken by some countries at the regional and subregional levels;

5. Supports and encourages efforts aimed at promoting confidence-building measures at regional and subregional levels in order to ease regional tensions and to further disarmament and nuclear non-proliferation measures at regional and subregional levels;

6. Decides to include in the provisional agenda of its fiftieth session the item entitled "Regional disarmament".

90th plenary meeting
15 December 1994

O

Conventional arms control at the regional and subregional levels

The General Assembly,

Recalling its resolution 48/75 J of 16 December 1993,

Recognizing the crucial role of conventional arms control in promoting regional and international peace and security,

/...

Convinced that conventional arms control needs to be pursued primarily in the regional and subregional contexts since most threats to peace and security in the post-cold-war era arise mainly among States located in the same region or subregion,

Aware that the preservation of a balance in the defence capabilities of States at the lowest level of armaments would contribute to peace and stability and should be a prime objective of conventional arms control,

Desirous of promoting agreements to strengthen regional peace and security at the lowest possible level of armaments and military forces,

Believing that militarily significant States, and States with larger military capabilities, have a special responsibility in promoting such agreements for regional security,

Believing also that one of the principal objectives of conventional arms control should be to prevent the possibility of military attack launched by surprise,

1. Decides to give urgent consideration to the issues involved in conventional arms control at the regional and subregional levels;

2. Requests the Conference on Disarmament, as a first step, to consider the formulation of principles that can serve as a framework for regional agreements on conventional arms control, and looks forward to a report of the Conference on this subject;

3. Decides to include in the provisional agenda of its fiftieth session the item entitled "Conventional arms control at the regional and subregional levels".

90th plenary meeting
15 December 1994

P

Bilateral nuclear-arms negotiations and nuclear disarmament

The General Assembly,

Recalling its previous relevant resolutions,

Recognizing the fundamental changes that have taken place with respect to international security, which have permitted agreements on deep reductions in the nuclear armaments of the States possessing the largest inventories of such weapons,

Mindful that it is the responsibility and obligation of all States to contribute to the process of the relaxation of international tension and to the strengthening of international peace and security,

Stressing the importance of strengthening international peace and security through disarmament,

/...

Emphasizing that nuclear disarmament remains one of the principal tasks of our times,

Stressing also that it is the responsibility of all States to adopt and implement measures towards the attainment of general and complete disarmament under effective international control,

Appreciating a number of positive developments in the field of nuclear disarmament, in particular the treaty concluded on 8 December 1987 between the former Union of Soviet Socialist Republics and the United States of America on the elimination of their intermediate-range and shorter-range missiles 26/ and the treaties on the reduction and limitation of strategic offensive arms,

Noting that there are still significant nuclear arsenals and that the primary responsibility for nuclear disarmament, with the objective of the elimination of nuclear weapons, rests with the nuclear-weapon States, in particular those which possess the largest stockpiles,

Welcoming the steps that have already been taken by those States to begin the process of reducing the number of nuclear weapons and removing such weapons from a deployed status, and bilateral agreements on the issue of de-targeting strategic nuclear missiles,

Noting the new climate of relations between the United States of America and the States of the former Soviet Union, which permits them to intensify their cooperative efforts to ensure the safety, security and environmentally sound destruction of nuclear weapons,

Noting also that the Russian Federation and the United States of America concurred that, once their Treaty on the Further Reduction and Limitation of Strategic Offensive Arms was ratified, they would proceed to deactivate all strategic delivery systems to be reduced under the Treaty by removing their nuclear warheads or taking other steps to remove them from alert status,

Noting further the agreement between the Russian Federation and the United States of America to intensify their dialogue to compare conceptual approaches and to develop concrete steps to adapt the nuclear forces and practices on both sides to the changed international security situation, including the possibility, after ratification of the Treaty on the Further Reduction and Limitation of Strategic Offensive Arms, of further reductions of and limitations on remaining nuclear forces,

Urging the further intensification of such efforts to accelerate the implementation of agreements and unilateral decisions relating to nuclear-arms reduction,

Welcoming the reduction made by other nuclear-weapon States in some of their nuclear-weapon programmes, and encouraging all nuclear-weapon States to consider appropriate measures relating to nuclear disarmament,

Affirming that bilateral and multilateral negotiations on nuclear disarmament should facilitate and complement each other,

1. *Welcomes* the actions taken towards the ratification of the Treaty on the Reduction and Limitation of Strategic Offensive Arms, signed in Moscow on 31 July 1991 by the former Union of Soviet Socialist Republics and the United

/...

States of America, and the protocol to that Treaty signed at Lisbon on 23 May 1992 by the parties thereto, inter alia, the trilateral statement by the Presidents of the Russian Federation, Ukraine and the United States of America signed on 14 January 1994, 28/ and urges the parties to take the necessary steps to ensure the Treaty's entry into force at the earliest possible date;

2. Also welcomes the signing of the Treaty between the Russian Federation and the United States of America on the Further Reduction and Limitation of Strategic Offensive Arms in Moscow on 3 January 1993, and urges the parties to take the steps necessary to bring that Treaty into force at the earliest possible date;

3. Expresses its satisfaction at the continuing implementation of the treaty on the elimination of intermediate-range and shorter-range missiles, 26/ in particular at the completion by the parties of the destruction of all their declared missiles subject to elimination under the treaty;

4. Encourages the United States of America, the Russian Federation, Belarus, Kazakhstan and Ukraine to continue their cooperative efforts aimed at eliminating nuclear weapons and strategic offensive arms on the basis of existing agreements, and welcomes the contributions that other States are making to such cooperation as well;

5. Welcomes the accession to the Treaty on the Non-Proliferation of Nuclear Weapons 18/ of Belarus and Kazakhstan as non-nuclear-weapon States and would welcome similar action on the part of Ukraine;

6. Encourages and supports the Russian Federation and the United States of America in their efforts to reduce their nuclear armaments and to continue to give those efforts the highest priority in order to contribute to the objective of the elimination of nuclear weapons;

7. Invites the Russian Federation and the United States of America to keep other States Members of the United Nations duly informed of progress in their discussions and in the implementation of their strategic offensive arms agreements and unilateral decisions.

90th plenary meeting
15 December 1994

28/ A/49/66-S/1994/91, annex.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/RES/49/76
9 January 1995

Forty-ninth session
Agenda item 63

RESOLUTIONS ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the First Committee (A/49/700)]

49/76. Review and implementation of the Concluding Document of the Twelfth Special Session of the General Assembly

A

United Nations Disarmament Information Programme

The General Assembly,

Recalling its decision taken in 1982 at its twelfth special session, the second special session devoted to disarmament, by which the World Disarmament Campaign was launched, 1/

Bearing in mind its various resolutions on the subject, including resolution 47/53 D of 9 December 1992 in which it decided, inter alia, that the World Disarmament Campaign should be known thereafter as the "United Nations Disarmament Information Programme" and the World Disarmament Campaign Voluntary Trust Fund as the "Voluntary Trust Fund for the United Nations Disarmament Information Programme",

Having examined the reports of the Secretary-General of 9 September 1994 on the United Nations Disarmament Information Programme, 2/ and of 2 September

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1/ See Official Records of the General Assembly, Twelfth Special Session, Plenary Meetings, 1st meeting, paras. 110 and 111.

2/ A/49/371.

1994 on the Advisory Board on Disarmament Matters 3/ as it relates to the implementation of the Disarmament Information Programme, as well as the Final Act of the Twelfth United Nations Pledging Conference for the Programme, 4/ held on 28 October 1994,

Noting with appreciation the contributions that Member States have already made to the Programme,

1. Welcomes the report of the Secretary-General of 9 September 1994 on the United Nations Disarmament Information Programme; 2/

2. Commends the Secretary-General for his efforts to make effective use of the resources available to him in disseminating as widely as possible information on arms limitation and disarmament to elected officials, the media, non-governmental organizations, educational communities and research institutes, and in carrying out an active seminar and conference programme;

3. Notes with appreciation the contributions to the efforts of the Programme by the United Nations information centres and the regional centres for disarmament;

4. Recommends that the Programme should further focus its efforts:

(a) To inform, to educate and to generate public understanding of the importance of and support for multilateral action, including action by the United Nations and the Conference on Disarmament, in the field of arms limitation and disarmament, in a factual, balanced and objective manner;

(b) To facilitate unimpeded access to and an exchange of information on ideas between the public sector and public interest groups and organizations, and to provide an independent source of balanced and factual information that takes into account a range of views to help further an informed debate on arms limitation, disarmament and security;

(c) To organize meetings to facilitate exchanges of views and information between governmental and non-governmental sectors and between governmental and other experts in order to facilitate the search for common ground;

5. Invites all Member States to contribute to the Voluntary Trust Fund for the United Nations Disarmament Information Programme;

6. Commends the Secretary-General for supporting the efforts of universities, other academic institutions and non-governmental organizations active in the educational field in widening the worldwide availability of disarmament education, and invites him to continue to support and cooperate, without cost to the regular budget of the United Nations, with educational institutions and non-governmental organizations engaged in such efforts;

3/ A/49/360.

4/ A/CONF.174/L.2.

/...

7. Decides that at its fiftieth session there should be a thirteenth United Nations Pledging Conference for the United Nations Disarmament Information Programme, and expresses the hope that on that occasion all those Member States that have not yet announced any voluntary contributions will do so, bearing in mind the objectives of the Third Disarmament Decade 5/ and the need to ensure its success;

8. Requests the Secretary-General to submit to the General Assembly at its fifty-first session a report covering both the implementation of the activities of the Programme by the United Nations system during the previous two years and the activities of the Programme contemplated by the system for the following two years;

9. Also decides to include in the provisional agenda of its fifty-first session the item entitled "United Nations Disarmament Information Programme".

90th plenary meeting
15 December 1994

B

United Nations disarmament fellowship, training and advisory services programme

The General Assembly,

Having considered the report of the Secretary-General on United Nations disarmament fellowship, training and advisory services programme, 6/

Recalling its decision, contained in paragraph 108 of the Final Document of the Tenth Special Session of the General Assembly, 7/ the first special session devoted to disarmament, to establish a programme of fellowships on disarmament, as well as its decisions contained in annex IV to the Concluding Document of the Twelfth Special Session of the General Assembly, 8/ the second special session devoted to disarmament, in which it decided, inter alia, to continue the programme,

Noting with satisfaction that the programme has already trained an appreciable number of public officials selected from geographical regions represented in the United Nations system, most of whom are now in positions of responsibility in the field of disarmament affairs in their respective countries or Governments,

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5/ See resolution 45/62 A, annex.

6/ A/49/504.

7/ Resolution S-10/2.

8/ See Official Records of the General Assembly, Twelfth Special Session, Annexes, agenda items 9 to 13, document A/S-12/32.

/...

Recalling also its resolutions 37/100 G of 13 December 1982, 38/73 C of 15 December 1983, 39/63 B of 12 December 1984, 40/151 H of 16 December 1985, 41/60 H of 3 December 1986, 42/39 I of 30 November 1987, 43/76 F of 7 December 1988, 44/117 E of 15 December 1989, 45/59 A of 4 December 1990, 46/37 E of 6 December 1991, 47/53 A of 9 December 1992 and 48/76 C of 16 December 1993,

Noting also with satisfaction that the programme, as designed, has enabled an increased number of public officials, particularly from the developing countries, to acquire more expertise in the sphere of disarmament,

Believing that the forms of assistance available to Member States, particularly to developing countries, under the programme will enhance the capabilities of their officials to follow ongoing deliberations and negotiations on disarmament, both bilateral and multilateral,

1. Reaffirms its decisions contained in annex IV to the Concluding Document of the Twelfth Special Session of the General Assembly and the report of the Secretary-General [9] approved by resolution 33/71 E of 14 December 1978;

2. Expresses its appreciation to the Governments of Finland, France, Germany, Japan and Sweden for inviting the 1994 fellows to study selected activities in the field of disarmament, thereby contributing to the fulfilment of the overall objectives of the programme;

3. Notes with satisfaction that, within the framework of the programme, the Centre for Disarmament Affairs of the Secretariat organizes regional disarmament workshops for Africa, Asia and the Pacific, and Latin America and the Caribbean;

4. Commends the Secretary-General for the diligence with which the programme has continued to be carried out;

5. Requests the Secretary-General to continue the implementation of the Geneva-based programme within existing resources and to report thereon to the General Assembly at its fifty-first session;

6. Decides to include in the provisional agenda of its fiftieth session an item entitled "United Nations disarmament fellowship, training and advisory services".

90th plenary meeting
15 December 1994

C

Regional confidence-building measures

The General Assembly,

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[9] A/33/305.

__Recalling__ the purposes and principles of the United Nations and its primary responsibility for the maintenance of international peace and security in accordance with the Charter of the United Nations,

__Bearing in mind__ the guidelines for general and complete disarmament adopted at its tenth special session, the first special session devoted to disarmament,

__Recalling also__ its resolutions 43/78 H and 43/85 of 7 December 1988, 44/21 of 15 November 1989, 45/58 M of 4 December 1990, 46/37 B of 6 December 1991, 47/53 F of 15 December 1992 and 48/76 A of 16 December 1993,

__Considering__ the importance and effectiveness of confidence-building measures taken at the initiative and with the participation of all States concerned and taking into account the specific characteristics of each region, in that they can contribute to regional disarmament and to international security, in accordance with the principles of the Charter,

__Convinced__ that the resources released by disarmament, including regional disarmament, can be devoted to economic and social development and to the protection of the environment for the benefit of all peoples, in particular those of the developing countries,

__Bearing in mind__ the establishment by the Secretary-General on 28 May 1992 of the Standing Advisory Committee on Security Questions in Central Africa, the purpose of which is to encourage arms limitation, disarmament, non-proliferation and development in the subregion,

1. __Takes note__ of the report of the Secretary-General on regional confidence-building measures, __10__/ which deals chiefly with the meetings of the Standing Advisory Committee on Security Questions in Central Africa, held at Yaoundé in April and September 1994;

2. __Reaffirms its support__ for efforts aimed at promoting confidence-building measures at the regional and subregional levels in order to ease regional tensions and to further disarmament, non-proliferation and the peaceful settlement of disputes in Central Africa;

3. __Also reaffirms its support__ for the programme of work of the Standing Advisory Committee adopted at the organizational meeting of the Committee held at Yaoundé from 27 to 31 July 1992;

4. __Takes note__ of the readiness of the States members of the Economic Community of Central African States to reduce the military forces, equipment and budgets in the subregion and to continue reviewing the studies carried out on the subject with a view to reaching agreements to that end;

5. __Welcomes with satisfaction__ the initialling of the Non-Aggression Pact between the States members of the Economic Community of Central African States, which is likely to contribute to the prevention of conflicts and to confidence-building in the subregion, and encourages those States to sign the Pact as soon as possible;

__10__/ A/49/546.

6. Also welcomes with satisfaction the decision taken by the States members of the Economic Community of Central African States to participate in peace-keeping operations of the United Nations and the Organization of African Unity and, to that end, to establish units specializing in peace-keeping operations within their respective armed forces;

7. Requests Member States and non-governmental organizations to assist and to promote the training and preparation of units specializing in peace operations in the member countries of the Standing Advisory Committee;

8. Requests the Secretary-General to continue to provide assistance to the Central African States in implementing the programme of work of the Standing Advisory Committee;

9. Also requests the Secretary-General to submit to the General Assembly at its fiftieth session a report on the implementation of the present resolution;

10. Decides to include in the provisional agenda of its fiftieth session the item entitled "Regional confidence-building measures".

90th plenary meeting
15 December 1994

D

United Nations Regional Centre for Peace and Disarmament in Africa, United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific and United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean

The General Assembly,

Recalling its resolutions 40/151 G of 16 December 1985, 41/60 D of 3 December 1986, 42/39 J of 30 November 1987 and 43/76 D of 7 December 1988 on the United Nations Regional Centre for Peace and Disarmament in Africa, 41/60 J of 3 December 1986, 42/39 K of 30 November 1987 and 43/76 H of 7 December 1988 on the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean, 42/39 D of 30 November 1987 and 43/76 G of 7 December 1988 on the United Nations Regional Centre for Peace and Disarmament in Asia, and 44/117 F of 15 December 1989, 45/59 E of 4 December 1990 and 46/37 F of 9 December 1991 on the United Nations Regional Centre for Peace and Disarmament in Africa, the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific and the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean,

Reaffirming its resolutions 46/36 F of 6 December 1991 and 47/52 G of 9 December 1992 on regional disarmament, including confidence-building measures,

Also recalling its resolution 48/76 E of 16 December 1993 on the regional centres, _Mindful_ of the provisions of Article 11, paragraph 1, of the Charter of the United Nations stipulating that a function of the General Assembly is to consider the general principles of cooperation in the maintenance of international peace and security, including the principles governing disarmament and arms limitation,

Bearing in mind that the changed international environment has created new opportunities for the pursuit of disarmament, as well as posed new challenges,

Taking note of the report of the Secretary-General on the activities of the regional centres, 11/

Convinced that the initiatives and activities mutually agreed upon by Member States of the respective regions aimed at fostering mutual confidence and security, as well as the implementation and coordination of regional activities under the United Nations Disarmament Information Programme, would encourage and facilitate the development of effective measures of confidence-building, arms limitation and disarmament in these regions,

Welcoming the programme of activities carried out by the regional centres, which have contributed substantially to understanding and cooperation among the States in each particular region and have thereby strengthened the role assigned to each regional centre in the areas of peace, disarmament and development,

Recognizing the need to provide the regional centres with financial viability and stability so as to facilitate the effective planning and implementation of their respective programmes of activities,

Expressing its gratitude to the Member States and international governmental and non-governmental organizations and foundations that have contributed to the trust funds of the three regional centres,

1. _Commends_ the activities being carried out by the regional centres in identifying and broadening the understanding of pressing disarmament and security issues and exploring optimum solutions under given specific conditions prevailing in each region, in accordance with their mandates;

2. _Encourages_ the regional centres to continue intensifying their efforts in promoting cooperation with subregional and regional organizations and among the States in their respective regions to facilitate the development of effective measures of confidence-building, arms limitation and disarmament, with a view to strengthening peace and security;

3. _Also encourages_ further use of the potential of the regional centres to maintain the increased interest in and momentum for revitalization of the Organization to meet the challenges of a new phase of international relations in order to fulfil the purposes and principles of the Charter of the United Nations related to peace, disarmament and development, taking into account the guidelines and recommendations for regional approaches to

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11/ A/49/389.

disarmament within the context of global security as adopted by the Disarmament Commission at its 1993 substantive session; 12/

4. Appeals once again to Member States, as well as to international governmental and non-governmental organizations and foundations, to make voluntary contributions in order to strengthen the programmes of activities of the regional centres and their effective implementation;

5. Requests the Secretary-General to continue to provide all necessary support to the regional centres in carrying out their programmes of activities;

6. Also requests the Secretary-General to ensure that the directors of the regional centres are locally based in order to revitalize the activities of the centres;

7. Further requests the Secretary-General to report to the General Assembly at its fiftieth session on the implementation of resolution 46/37 F and of the present resolution;

8. Decides to include in the provisional agenda of its fiftieth session the item entitled "United Nations Regional Centre for Peace and Disarmament in Africa, United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific and United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean".

90th plenary meeting
15 December 1994

E

Convention on the Prohibition of the Use of Nuclear Weapons

The General Assembly,

Convinced that the use of nuclear weapons poses the most serious threat to the survival of mankind,

Convinced also that a multilateral agreement prohibiting the use or threat of use of nuclear weapons would strengthen international security and contribute to the climate for negotiations leading to the ultimate elimination of nuclear weapons,

Welcoming the Treaty between the Russian Federation and the United States of America on Further Reduction and Limitation of Strategic Offensive Weapons, signed in Moscow on 3 January 1993, aimed at reducing the strategic arsenals to an aggregate level not to exceed 3,500 deployed strategic warheads for each side no later than the year 2003,

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12/ Official Records of the General Assembly, Forty-eighth Session, Supplement No. 42 (A/48/42), annex II.

Conscious that the recent steps taken by the Russian Federation and the United States of America towards a reduction of their nuclear weapons and the improvement in the international climate can contribute towards the goal of complete elimination of nuclear weapons,

Recalling that, in paragraph 58 of the Final Document of the Tenth Special Session of the General Assembly, 7/ it is stated that all States should actively participate in efforts to bring about conditions in international relations among States in which a code of peaceful conduct of nations in international affairs could be agreed upon and that would preclude the use or threat of use of nuclear weapons,

Reaffirming that any use of nuclear weapons would be a violation of the Charter of the United Nations and a crime against humanity, as declared in its resolutions 1653 (XVI) of 24 November 1961, 33/71 B of 14 December 1978, 34/83 G of 11 December 1979, 35/152 D of 12 December 1980 and 36/92 I of 9 December 1981,

Stressing that an international convention would be a step towards the complete elimination of nuclear weapons leading to general and complete disarmament under strict and effective international control,

Noting with regret that the Conference on Disarmament, during its 1994 session, was unable to undertake negotiations on this subject,

1. *Reiterates its request* to the Conference on Disarmament to commence negotiations, as a matter of priority, in order to reach agreement on an international convention prohibiting the use or threat of use of nuclear weapons under any circumstances, taking as a possible basis the draft Convention on the Prohibition of the Use of Nuclear Weapons annexed to the present resolution;

2. *Requests* the Conference on Disarmament to report to the General Assembly on the results of those negotiations.

90th plenary meeting
15 December 1994

ANNEX

Draft Convention on the Prohibition of the Use of Nuclear Weapons

The States Parties to this Convention,

Alarmed by the threat to the very survival of mankind posed by the existence of nuclear weapons,

Convinced that any use of nuclear weapons constitutes a violation of the Charter of the United Nations and a crime against humanity,

Convinced also that this Convention would be a step towards the complete elimination of nuclear weapons leading to general and complete disarmament under strict and effective international control,

Determined to continue negotiations for the achievement of this goal,

/...

Have agreed as follows:

Article 1

The States Parties to this Convention solemnly undertake not to use or threaten to use nuclear weapons under any circumstances.

Article 2

This Convention shall be of unlimited duration.

Article 3

1. This Convention shall be open to all States for signature. Any State that does not sign the Convention before its entry into force in accordance with paragraph 3 of this article may accede to it at any time.

2. This Convention shall be subject to ratification by signatory States. Instruments of ratification or accession shall be deposited with the Secretary-General of the United Nations.

3. This Convention shall enter into force on the deposit of instruments of ratification by twenty-five Governments, including the Governments of the five nuclear-weapon States, in accordance with paragraph 2 of this article.

4. For States whose instruments of ratification or accession are deposited after the entry into force of the Convention, it shall enter into force on the date of the deposit of their instruments of ratification or accession.

5. The depositary shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification or accession and the date of the entry into force of this Convention, as well as of the receipt of other notices.

6. This Convention shall be registered by the depositary in accordance with Article 102 of the Charter of the United Nations.

Article 4

This Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall send duly certified copies thereof to the Government of the signatory and acceding States.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto by their respective Governments, have signed this Convention, opened for signature at ____________ on the __________ day of the __________, one thousand nine hundred and __________.

UNITED NATIONS

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General Assembly

Distr.
GENERAL

A/RES/49/77
9 January 1995

Forty-ninth session
Agenda item 64

RESOLUTIONS ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the First Committee (A/49/701)]

49/77. Review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session

A

Report of the Disarmament Commission

The General Assembly,

Having considered the annual report of the Disarmament Commission, 1/

Recalling its resolutions 47/54 A of 9 December 1992, 47/54 G of 8 April 1993 and 48/77 A of 16 December 1993,

Considering the role that the Disarmament Commission has been called upon to play and the contribution that it should make in examining and submitting recommendations on various problems in the field of disarmament and in the promotion of the implementation of the relevant decisions adopted by the General Assembly at its tenth special session,

Noting the various suggestions for possible consideration by the Disarmament Commission, at an appropriate future date, including in particular

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1/ Official Records of the General Assembly, Forty-ninth Session, Supplement No. 42 (A/49/42).

the one for reconsideration of the subject "The role of science and technology in the context of international security, disarmament and other related fields",

1. Takes note of the annual report of the Disarmament Commission; 1/

2. Notes with regret that the Disarmament Commission was unable to achieve agreement on guidelines and recommendations under its the agenda item entitled "The role of science and technology in the context of international security, disarmament and other related fields", consideration of which was concluded in 1994;

3. Notes the continuing consideration by the Disarmament Commission of its agenda item entitled "Process of nuclear disarmament in the framework of international peace and security, with the objective of the elimination of nuclear weapons", which is to be concluded in 1995;

4. Notes also that the Disarmament Commission held a preliminary exchange of views on its agenda item entitled "International arms transfers, with particular reference to General Assembly resolution 46/36 H of 6 December 1991";

5. Reaffirms the importance of further enhancing the dialogue and cooperation among the First Committee, the Disarmament Commission and the Conference on Disarmament;

6. Reaffirms also the role of the Disarmament Commission as the specialized, deliberative body within the United Nations multilateral disarmament machinery that allows for in-depth deliberations on specific disarmament issues, leading to the submission of concrete recommendations on those issues;

7. Encourages the Disarmament Commission to continue to make every effort to enhance its working methods so as to enable it to give focused consideration to a limited number of priority issues in the field of disarmament, bearing in mind the decision it has taken to move its agenda towards a three-item phased approach;

8. Requests the Disarmament Commission to continue its work in accordance with its mandate, as set forth in paragraph 118 of the Final Document of the Tenth Special Session of the General Assembly, 2/ and with paragraph 3 of resolution 37/78 H of 9 December 1982, and to that end to make every effort to achieve specific recommendations on the items of its agenda, taking into account the adopted "Ways and means to enhance the functioning of the Disarmament Commission"; 3/

9. Recommends that the Disarmament Commission, at its 1994 organizational session, adopt the following items for consideration at its 1995 substantive session:

2/ Resolution S-10/2.

3/ A/CN.10/137 of 27 April 1990.

(a) Process of nuclear disarmament in the framework of international peace and security, with the objective of the elimination of nuclear weapons;

(b) International arms transfers, with particular reference to General Assembly resolution 46/36 H of 6 December 1991;

10. Also recommends that, pursuant to the adopted three-item phased approach, the Disarmament Commission, at its 1994 organizational session, consider including in the agenda of its 1995 substantive session a new third item and, in this context, notes, inter alia, the following proposals: "General guidelines for non-proliferation, with special emphasis on weapons of mass destruction" and "Review of the Declaration of the 1990s as the Third Disarmament Decade";

11. Requests the Disarmament Commission to meet for a period not exceeding four weeks during 1995 and to submit a substantive report to the General Assembly at its fiftieth session;

12. Requests the Secretary-General to transmit to the Disarmament Commission the annual report of the Conference on Disarmament, 4/ together with all the official records of the forty-ninth session of the General Assembly relating to disarmament matters, and to render all assistance that the Commission may require for implementing the present resolution;

13. Also requests the Secretary-General to ensure full provision to the Commission and its subsidiary bodies of interpretation and translation facilities in the official languages and to assign, as a matter of priority, all the necessary resources and services, including verbatim records, to that end;

14. Decides to include in the provisional agenda of its fiftieth session the item entitled "Report of the Disarmament Commission".

90th plenary meeting
15 December 1994

B

Expansion of the membership of the Conference on Disarmament

The General Assembly,

Having considered the report of the Conference on Disarmament, 4/

Conscious of the need for a comprehensive approach to the disarmament process and for improved functioning and efficiency of the multilateral arms control and disarmament machinery, as also envisaged in the report of the Secretary-General on new dimensions of arms regulation and disarmament in the post-cold-war era, 5/

4/ Official Records of the General Assembly, Forty-ninth Session, Supplement No. 27 (A/49/27).

5/ A/C.1/47/7.

/...

Recalling its relevant resolutions, in particular resolution 48/77 B of 16 December 1993, concerning, _inter alia_, the ongoing review by the Conference on Disarmament of its agenda, composition and methods of work, which highlighted the need for substantial enlargement of the present membership of the Conference,

Fully convinced that an enlarged membership is desirable in order to take advantage of the current propitious international climate to negotiate, on the solid basis of a more representative participation, a comprehensive test-ban treaty and other important agreements requiring universal adherence,

Recalling that the Conference on Disarmament, which is funded from the regular budget, was granted, pursuant to resolution 48/77 B, supplementary administrative, substantive and conference support services, _inter alia_, in anticipation of its expansion,

Recalling also its resolution 1722 (XVI) of 20 December 1961 regarding the establishment of the Conference on Disarmament, then the Eighteen-Nation Committee on Disarmament,

Emphasizing the fact that, notwithstanding dramatic changes in the international situation and continuous consultations, there has been no expansion of the membership of the Conference during the last fifteen years,

Welcoming the fact that the annual report of the Conference on Disarmament reflects the intention of the Conference to reinstate its own procedures providing for periodic review of its composition,

Regretting, however, that the Conference on Disarmament did not reach a consensus that would result in the expansion of its membership before the start of the 1994 session of the Conference, as urged by the General Assembly in its resolution 48/77 B, nor was it able to resolve this question thereafter, in spite of intensive efforts by the Friend of the Chair,

1. _Recognizes_ the legitimate aspirations of the candidate countries to participate fully in the work of the Conference on Disarmament;

2. _Recalls_ the report of 12 August 1993 of the Special Coordinator for membership designated by the Conference on Disarmament _6_/ and the subsequent statement made by the Special Coordinator on 26 August 1993, _7_/ recommending a dynamic solution to the question of membership, as well as the report of the Conference on Disarmament on its 1994 session;

3. _Urges_ the Conference on Disarmament to make every effort to reach a solution resulting, by the beginning of 1995, in a significant expansion of its composition, which would then include at least sixty countries.

90th plenary meeting
15 December 1994

C

_6_/ See _Official Records of the General Assembly, Forty-eighth Session, Supplement No. 27_ (A/48/27), para. 13 (incorporating document CD/1214).

_7_/ Ibid., para. 14.

Report of the Conference on Disarmament

The General Assembly,

Having considered the report of the Conference on Disarmament, 4/

Convinced that the Conference on Disarmament, as the single multilateral disarmament negotiating forum of the international community, has the primary role in substantive negotiations on priority questions of disarmament,

Considering, in this respect, that the present international climate should give additional impetus to multilateral negotiations with the aim of reaching concrete agreements,

Welcoming the ongoing negotiations of the Conference on Disarmament on a comprehensive nuclear-test-ban treaty,

Noting with satisfaction the results achieved so far on the subject of improved and effective functioning of the Conference on Disarmament, as well as the decision to carry out consultations with a view to achieving consensus on the issue of its membership by the beginning of its 1995 session and the decision to continue consultations on the issue of the agenda at its 1995 session,

Recognizing that the Conference on Disarmament has a number of urgent and important areas for negotiations,

1. *Reaffirms* the role of the Conference on Disarmament as the single multilateral disarmament negotiating forum of the international community;

2. *Welcomes* the determination of the Conference on Disarmament to fulfil that role in the light of the evolving international situation, with a view to making early substantive progress on priority items of its agenda;

3. *Urges* the Conference on Disarmament to continue as a priority task its negotiations to conclude a comprehensive nuclear-test-ban treaty;

4. *Notes* the recommendation of the Conference on Disarmament that the balance of its future work be considered more fully by the Conference before it decides which ad hoc committees, besides the Ad Hoc Committee on a Nuclear Test Ban, should be established in 1995;

5. *Urges* the Conference on Disarmament to make every effort to reach a solution on the expansion of its membership by the beginning of its 1995 session;

6. *Encourages* the ongoing review of the agenda, membership and methods of work of the Conference on Disarmament;

7. *Requests* the Secretary-General to continue to ensure the provision, to the Conference on Disarmament, of adequate administrative, substantive and conference support services;

8. *Requests* the Conference on Disarmament to submit a report on its work to the General Assembly at its fiftieth session;

/...

9. Decides to include in the provisional agenda of its fiftieth session the item entitled "Report of the Conference on Disarmament".

90th plenary meeting
15 December 1994

D

Implementation of the guidelines for appropriate types of confidence-building measures

The General Assembly,

Recalling its resolution 43/78 H of 7 December 1988, in which it endorsed the guidelines for appropriate types of confidence-building measures and for the implementation of such measures on a global or regional level, and its resolution 47/54 D, adopted without a vote on 9 December 1992,

Noting that since then national reports on the implementation of the guidelines for appropriate types of confidence-building measures have been submitted by a number of Member States belonging to different geographic regions,

Reconfirming its support for the guidelines for appropriate types of confidence-building measures and for the implementation of such measures on a global or regional level,

Recalling that the guidelines and recommendations for regional approaches to disarmament within the context of global security, as endorsed by the General Assembly at its forty-eighth session, refer, inter alia, to confidence- and security-building measures in the context of maintaining and enhancing regional peace and security,

Welcoming progress at the global level in the promotion of transparency in the military field as a cornerstone for confidence-building, through the United Nations system for the standardized reporting of military expenditures, introduced by its resolution 35/142 B of 12 December 1980, the endorsement of the guidelines and recommendations for objective information on military matters, contained in its resolution 47/54 B of 9 December 1992, and the establishment of the Register of Conventional Arms under its resolution 46/36 L of 9 December 1991,

Noting with satisfaction the encouraging results of specific confidence-building measures agreed upon and implemented in some regions which foster mutual trust and understanding, defuse tensions and promote friendly relations among States,

Welcoming, in particular, the establishment of regional mechanisms, institutions or forums entrusted with the prevention and peaceful settlement of conflicts, and the development of confidence-building measures,

Recognizing the value of regional workshops, seminars and conferences on regional confidence-building and security, contributing to regional disarmament and security,

/...

Reaffirming the great importance of increasing security and stability in all regions through appropriate measures to strengthen international peace and security,

Realizing with deep concern, however, that tensions in some regions rise and that even violent armed conflicts have erupted and continue, in some cases, despite all peacemaking and peace-keeping efforts,

Emphasizing that confidence-building measures, especially when applied in a comprehensive manner, can be conducive to achieving structures of security based on cooperation and openness and thus contribute to the wider objective of the renunciation of the threat or use of force,

1. Stresses the need for the development and implementation of confidence-building measures as a concrete means to facilitate the disarmament and arms limitation process and to improve the prospects for the peaceful settlement of disputes, thus contributing to maintaining and enhancing regional and international peace and security;

2. Recommends the guidelines for appropriate types of confidence-building measures to all States for implementation, taking fully into account the specific political, military and other conditions prevailing in a region;

3. Also recommends to all States and regions that have already started to implement confidence-building measures to pursue further and strengthen this process;

4. Appeals to all States to consider the widest possible use of confidence-building measures in their international relations, including bilateral, regional and global activities, as an important step towards prevention of conflict and, in times of political tension and crisis, as an instrument for peaceful settlement of conflicts;

5. Calls upon, in particular, all States in whose regions military tensions exist, or armed conflicts occur, to make the best possible use of confidence-building measures, among other appropriate activities and if needed in cooperation with other States, to ease tensions and to contribute to peacemaking and peace-building;

6. Invites the Secretary-General to continue to collect relevant information from all Member States;

7. Decides to include in the provisional agenda of its fifty-first session an item entitled "Confidence-building measures".

90th plenary meeting
15 December 1994

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General Assembly

Distr.
GENERAL

A/RES/49/78
11 January 1995

Forty-ninth session
Agenda item 65

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the First Committee (A/49/702)]

49/78. The risk of nuclear proliferation in the Middle East

The General Assembly,

Bearing in mind the relevant United Nations resolutions,

Taking note of the relevant resolutions adopted by the General Conference of the International Atomic Energy Agency, the latest of which is GC(XXXVIII)/RES/21 of 23 September 1994, 1/ and noting the danger of nuclear proliferation, especially in areas of tension,

Cognizant that the proliferation of nuclear weapons in the region of the Middle East would pose a serious threat to international peace and security,

Aware of the importance that all nuclear facilities in the region be placed under full-scope safeguards of the International Atomic Energy Agency,

Encouraged by the recent positive developments in the Middle East peace process, which would be further strengthened by States of the region undertaking practical confidence-building measures in order to consolidate the non-proliferation regime,

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1/ See International Atomic Energy Agency, Resolutions and Other Decisions of the General Conference, Thirty-eighth Regular Session, 19-23 September 1994 (GC(XXXVIII)/RES/DEC/(1994)).

/...

1. Calls upon Israel and all other States of the region that are not yet party to the Treaty on the Non-Proliferation of Nuclear Weapons, 2/ not to develop, produce, test or otherwise acquire nuclear weapons, to renounce possession of nuclear weapons and to accede to the Treaty;

2. Calls upon the States of the region that have not done so to place all their nuclear facilities under full-scope safeguards of the International Atomic Energy Agency as an important confidence-building measure among all States of the region and as a step towards enhancing peace and security;

3. Requests the Secretary-General to report to the General Assembly at its fiftieth session on the implementation of the present resolution;

4. Decides to include in the provisional agenda of its fiftieth session an item entitled "The risk of nuclear proliferation in the Middle East".

90th plenary meeting
15 December 1994

2/ United Nations, *Treaty Series*, vol. 729, No. 10485.

UNITED NATIONS

A

General Assembly

Distr.
GENERAL

A/RES/49/79
11 January 1995

Forty-ninth session
Agenda item 66

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the First Committee (A/49/703)]

49/79. Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects

The General Assembly,

Recalling its resolutions 32/152 of 19 December 1977, 35/153 of 12 December 1980, 36/93 of 9 December 1981, 37/79 of 9 December 1982, 38/66 of 15 December 1983, 39/56 of 12 December 1984, 40/84 of 12 December 1985, 41/50 of 3 December 1986, 42/30 of 30 November 1987, 43/67 of 7 December 1988, 45/64 of 4 December 1990, 46/40 of 6 December 1991, 47/56 of 9 December 1992 and 48/79 of 16 December 1993,

Recalling with satisfaction the adoption, on 10 October 1980, of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, 1/ together with the Protocol on Non-Detectable Fragments (Protocol I), 1/ the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices (Protocol II) 1/ and the Protocol on Prohibitions or Restrictions on the Use of Incendiary Weapons (Protocol III), 1/

1/ See The United Nations Disarmament Yearbook, vol. 5: 1980 (United Nations publication, Sales No. E.81.IX.4), appendix VII.

Recalling the role played by the International Committee of the Red Cross in the elaboration of the Convention and the Protocols annexed thereto,

Noting with satisfaction that, the conditions set forth in article 5 of the Convention having been met, the Convention and the three Protocols annexed thereto entered into force on 2 December 1983,

Recalling also the commitment by the States that are parties to the Convention and the Protocols annexed thereto to respect the objectives and the provisions thereof,

Noting that, in conformity with article 8 of the Convention, conferences may be convened to examine amendments to the Convention or to any of the Protocols thereto, to examine additional protocols concerning other categories of conventional weapons not covered by the existing Protocols or to review the scope and application of the Convention and the Protocols annexed thereto and to examine any proposed amendments or additional protocols,

Noting with satisfaction that a group of governmental experts has been established to prepare a conference to review the Convention and the Protocols annexed thereto in conformity with article 8, paragraph 3, of the Convention,

Noting also with satisfaction that the group of governmental experts has held three meetings in 1994 making significant progress, with priority given to the question of anti-personnel land-mines, [2]

Noting also that the group of governmental experts and other international meetings have discussed possible restrictions on the use of other weapon categories at present not covered by the Convention and the Protocols annexed thereto,

Reaffirming its conviction that a general and verifiable agreement on prohibitions or restrictions on the use of certain conventional weapons would significantly reduce the suffering of civilians and combatants,

Being desirous of reinforcing international cooperation in the area of prohibitions or restrictions on the use of certain conventional weapons, in particular for the removal of minefields, mines and booby traps,

Noting in this respect its resolutions 48/7 and 49/215 on assistance in mine clearance,

1. *Registers its satisfaction* with the reports of the Secretary-General; [3]

2. *Welcomes* the fact that additional States have signed, ratified or accepted the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, which was opened for signature in New York on 10 April 1981, or have acceded to the Convention;

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[2] See A/49/275.

[3] A/49/421, A/49/275 and Add.1 and A/49/357 and Add.1.

/...

3. Urgently calls upon all States that have not yet done so to take all measures to become parties, as soon as possible, to the Convention and upon successor States to take appropriate measures so that ultimately access to this instrument will be universal;

4. Calls upon the Secretary-General of the United Nations, in his capacity as depositary of the Convention and the three Protocols annexed thereto, to continue to inform it periodically of accessions to the Convention and the Protocols;

5. Welcomes the request made by States parties on 22 December 1993 that the Secretary-General convene at an appropriate time, in accordance with article 8, paragraph 3, of the Convention, a conference to review the Convention, and establish a group of governmental experts to prepare the review conference;

6. Takes note with satisfaction of the progress made by the group of governmental experts in reviewing the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices (Protocol II) and in discussing other weapon categories at present not covered by the Convention;

7. Takes note of the decisions by the group of governmental experts to hold an additional meeting at Geneva from 9 to 20 January 1995 and to request the Secretary-General to convene the review conference at Geneva during the period from 25 September to 13 October 1995;

8. Requests the Secretary-General to continue furnishing needed assistance and to ensure the provision of services to the group of governmental experts and to the conference to review the Convention;

9. Again calls upon the maximum number of States to attend the conference, to which the States parties may invite interested non-governmental organizations, in particular the International Committee of the Red Cross;

10. Decides to include in the provisional agenda of its fiftieth session the item entitled "Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects".

90th plenary meeting
15 December 1994

UNITED NATIONS

A

General Assembly

Distr.
GENERAL

A/RES/49/80
11 January 1995

Forty-ninth session
Agenda item 67

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the First Committee (A/49/704)]

49/80. Question of Antarctica

The General Assembly,

Having considered the item entitled "Question of Antarctica",

Taking into account the debates on this item held since its thirty-eighth session,

Reaffirming the interest of the international community in information on Antarctica,

Welcoming the provision by the Antarctic Treaty Consultative Parties to the Secretary-General of the final report of the Eighteenth Antarctic Treaty Consultative Meeting, 1/ held at Kyoto, Japan, from 11 to 22 April 1994,

Conscious of the particular significance of Antarctica to the international community, including for international peace and security, the global and regional environment, its effects on global and regional climate conditions, and scientific research,

Reaffirming that the management and use of Antarctica should be conducted in accordance with the purposes and principles of the Charter of the United Nations and in the interest of maintaining international peace and security and of promoting international cooperation for the benefit of mankind as a whole,

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1/ See A/49/370.

/...

Recognizing that the Antarctic Treaty, 2/ which provides, *inter alia*, for the demilitarization of the continent, the prohibition of nuclear explosions and the disposal of nuclear wastes, the freedom of scientific research and the free exchange of scientific information, is in furtherance of the purposes and principles of the Charter,

Conscious also of the interrelationship between Antarctica and the physical, chemical and biological processes that regulate the total Earth system,

Taking into account the Protocol on Environmental Protection to the Antarctic Treaty, adopted by the Antarctic Treaty Parties at Madrid on 4 October 1991,

Welcoming the designation, in the Protocol, of Antarctica as a natural reserve devoted to peace and science and the procedures contained in the Protocol regarding the protection of the Antarctic environment and dependent and associated ecosystems in the planning and conduct of all activities in Antarctica,

Commending the prohibition on mineral resource activities contained in the Protocol,

Welcoming the recognition by the United Nations Conference on Environment and Development of the value of Antarctica as an area for the conduct of scientific research, in particular research essential to understanding the global environment, 3/

Welcoming also the continuing cooperation among countries undertaking scientific research activities in Antarctica, which may help to minimize human impacts on the Antarctic environment,

Welcoming further the increasing awareness of an interest in Antarctica shown by the international community, and convinced of the advantages to the whole of mankind of a better knowledge of Antarctica,

Affirming its conviction that, in the interest of all mankind, Antarctica should continue forever to be used exclusively for peaceful purposes and that it should not become the scene or object of international discord,

1. *Takes note* of the report of the Secretary-General on Antarctica and on the report of the Eighteenth Antarctic Treaty Consultative Meeting, 1/ held at Kyoto, Japan, from 11 to 22 April 1994;

2. *Welcomes* the practice whereby the Antarctic Treaty Consultative Parties regularly provide the Secretary-General with information on their

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2/ United Nations, *Treaty Series*, vol. 402, No. 5778.

3/ See *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992* (A/CONF.151/26/Rev.1 (Vol. I and Vol. I/Corr.1, Vol. II, Vol. III and Vol. III/Corr.1))(United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: *Resolutions adopted by the Conference*, resolution 1, annex II, chap. 17, para. 17.104.

/...

consultative meetings and on their activities in Antarctica, encourages the Parties to continue to provide to the Secretary-General and other interested States information on developments in relation to Antarctica, and requests the Secretary-General to submit that information in a report to the General Assembly at its fifty-first session;

3. *Notes* the role accorded by the Secretary-General to the United Nations Environment Programme in relation to Antarctic matters;

4. *Urges* the Antarctic Treaty Parties to extend invitations to the Executive Director of the United Nations Environment Programme to attend future consultative meetings in order to assist them in the substantive work;

5. *Welcomes* the statement under chapter 17 of Agenda 21, 3/ adopted by the United Nations Conference on Environment and Development, that States carrying out research activities in Antarctica should, as provided for in article III of the Antarctic Treaty, 2/ continue to:

(*a*) Ensure that data and information resulting from such research are freely available to the international community;

(*b*) Enhance access of the international scientific community and specialized agencies of the United Nations to such data and information, including the encouragement of periodic seminars and symposia;

6. *Urges* the Antarctic Treaty Consultative Parties to take into account in their deliberations the outcomes of the United Nations Conference on Environment and Development, particularly as noted in paragraph 5 above;

7. *Requests* the Antarctic Treaty Parties to continue to make available information on Antarctica as a means of promoting further public awareness of the importance of Antarctica to the global and regional environment;

8. *Urges* the Antarctic Treaty Parties to consider becoming parties as soon as possible to the Protocol on Environmental Protection to the Antarctic Treaty, and so bring the Protocol into force, in order to ensure the implementation of strengthened measures for the protection of the Antarctic environment and dependent and associated ecosystems;

9. *Urges* countries whose nationals undertake activities in Antarctica to ensure that all such activities are carried out in a manner consistent with the principles of the Protocol;

10. *Decides* to include in the provisional agenda of its fifty-first session the item entitled "Question of Antarctica".

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GENERAL

A/RES/49/81
11 January 1995

Forty-ninth session
Agenda item 68

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the First Committee (A/49/705)]

49/81. Strengthening of security and cooperation in the Mediterranean region

The General Assembly,

Recalling its previous resolutions on the subject, including its resolution 48/81 of 16 December 1993,

Reaffirming the primary role of the Mediterranean countries in strengthening and promoting peace, security and cooperation in the Mediterranean region,

Bearing in mind all the previous declarations and commitments, as well as all the initiatives taken by the riparian countries at the recent summits, ministerial meetings and various forums concerning the question of the Mediterranean region,

Recognizing the efforts realized so far and the determination of the Mediterranean countries to intensify the process of dialogue and consultations with a view to resolving the problems existing in the Mediterranean region and to eliminate the causes of tension and the consequent threat to peace and security,

Recognizing also the indivisible character of security in the Mediterranean and that the enhancement of cooperation among Mediterranean countries with a view to promoting the economic and social development of all peoples of the region will contribute significantly to stability, peace and security in the region,

Recognizing further that prospects for closer Euro-Mediterranean cooperation in all spheres can be enhanced by positive developments worldwide, particularly in Europe and in the Middle East,

Noting with satisfaction the positive developments in the Middle East peace process that will lead to achieving a comprehensive, just and lasting peace in the region and therefore to promoting confidence-building measures and good neighbourly spirit among the countries of the area,

Expressing satisfaction at the growing awareness of the need for joint efforts by all Mediterranean countries so as to strengthen economic, social, cultural and environmental cooperation in the Mediterranean region,

Reaffirming the responsibility of all States to contribute to the stability and prosperity of the Mediterranean region and their commitment to respect the purposes and principles of the Charter of the United Nations, as well as the provisions of the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, [1]

Expressing its concern at the persistent tension and continuing military activities in parts of the Mediterranean that hinder efforts to strengthen security and cooperation in the region,

Taking note of the report of the Secretary-General on this item, [2]

1. Reaffirms that security in the Mediterranean is closely linked to European security as well as to international peace and security;

2. Expresses its satisfaction at the continuing efforts by Mediterranean countries to contribute actively to the elimination of all causes of tension in the region and to the promotion of just and lasting solutions to the persistent problems of the region through peaceful means, thus ensuring the withdrawal of foreign forces of occupation and respecting the sovereignty, independence and territorial integrity of all countries of the Mediterranean and the right of peoples to self-determination, and therefore calls for full adherence to the principles of non-interference, non-intervention, non-use of force or threat of use of force and the inadmissibility of the acquisition of territory by force, in accordance with the Charter and the relevant resolutions of the United Nations;

3. Recognizes that the elimination of the economic and social disparities in levels of development as well as other obstacles in the Mediterranean area will contribute to enhancing peace, security and cooperation among Mediterranean countries through the existing forums;

4. Commends the efforts by the Mediterranean countries in the continuation of initiatives and negotiations as well as the adoption of measures that will promote confidence- and security-building as well as disarmament in the Mediterranean region, and encourages them to pursue these efforts further;

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[1] Resolution 2625 (XXV), annex.

[2] A/49/333 and Add.1.

5. Welcomes with satisfaction the announcement by Algeria of its decision to deposit its instruments of accession to the Treaty on the Non-Proliferation of Nuclear Weapons, 3/ and calls upon all other States in the region that have not yet done so to adhere to all the multilaterally negotiated legal instruments related to the field of disarmament, thus creating the necessary conditions for strengthening peace and cooperation in the Mediterranean region;

6. Encourages all States of the region to promote genuine openness and transparency in all military matters, particularly by participating in the United Nations system for the standardized reporting of military expenditures 4/ as well as by providing accurate data and information to the Register of Conventional Arms; 5/

7. Also encourages the Mediterranean countries to strengthen further their cooperation in facing terrorist activities, which pose a serious threat to peace, security and stability in the region and therefore to the improvement of the current political, economic and social situation;

8. Invites all States of the region to address, through various forms of cooperation, problems and threats posed to the region, such as terrorism and criminal acts, as well as illegal drug production, consumption and trafficking, which jeopardize the friendly relations among States, hinder the development of international cooperation and result in the destruction of human rights, fundamental freedoms and the democratic basis of pluralistic society;

9. Encourages the continued widespread support among Mediterranean countries for the convening of a conference on security and cooperation in the Mediterranean, as well as the ongoing regional consultations to create the appropriate conditions for its convening;

10. Requests the Secretary-General to submit a report on means to strengthen security and cooperation in the Mediterranean region;

11. Decides to include in the provisional agenda of its fiftieth session the item entitled "Strengthening of security and cooperation in the Mediterranean region".

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3/ United Nations, Treaty Series, vol. 729, No. 10485.

4/ See resolution 35/142 B.

5/ See resolution 46/36 L.

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A/RES/49/82
11 January 1995

Forty-ninth session
Agenda item 69

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the First Committee (A/49/706)]

49/82. Implementation of the Declaration of the Indian Ocean as a Zone of Peace

The General Assembly,

Recalling the Declaration of the Indian Ocean as a Zone of Peace, contained in its resolution 2832 (XXVI) of 16 December 1971, and recalling also its resolution 48/82 of 16 December 1993 and other relevant resolutions,

Recalling also the report of the Meeting of the Littoral and Hinterland States of the Indian Ocean held in July 1979, 1/

Noting that the emerging international climate of confidence, trust and cooperation has been further enhanced by significant new developments in the Indian Ocean region, including the establishment of the democratic, non-racial Government of South Africa, as well as encouraging developments in the Middle East,

Welcoming these positive developments, which have been reflected in the work of the Ad Hoc Committee on the Indian Ocean as providing favourable opportunities to pursue global and regional cooperation in the Indian Ocean region,

Having considered new alternative approaches in the Ad Hoc Committee with a view to reaching early agreement to give new impetus to the process of

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1/ Official Records of the General Assembly, Thirty-fourth Session, Supplement No. 45 and corrigendum (A/34/45 and Corr.1).

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strengthening cooperation and ensuring peace, security and stability in the Indian Ocean region,

Considering that confidence-building measures at different regional levels, building incrementally on cooperation among various regional and other parties, as appropriate, on specific issues, have made an important contribution to the attainment of the goals of peace, security and stability in the Indian Ocean region and that they should be pursued further,

Emphasizing the need for the permanent members of the Security Council and the major maritime users of the Indian Ocean to cooperate with and participate in the work of the Ad Hoc Committee, particularly at a time when the Committee is actively engaged in the task of developing new alternative approaches,

1. Takes note of the report of the Ad Hoc Committee on the Indian Ocean; 2/

2. Requests the Ad Hoc Committee to continue its elaboration of new alternative approaches, including those discussed during the session held in 1994, with a view to giving new impetus to the process of strengthening cooperation and ensuring peace, security and stability in the Indian Ocean region;

3. Notes that the entry into force in November 1994 of the United Nations Convention on the Law of the Sea 3/ would enhance prospects for mutually accommodative measures of cooperation on a regional as well as global basis, including the freedom of the high seas, in conformity with the Convention;

4. Reiterates its conviction that the participation of all permanent members of the Security Council as well as major maritime users in the work of the Ad Hoc Committee is important and would greatly facilitate development of a mutually beneficial dialogue to advance peace, security and stability in the Indian Ocean region;

5. Requests the Chairman of the Ad Hoc Committee to apprise the Governments of the permanent members of the Security Council concerned and the major maritime users of the progress of work in the Committee, and to consult with them in order to encourage their renewed participation and cooperation in the work of the Committee;

6. Recalls the general recognition of the need to pursue both global and regional efforts in a complementary way, bearing in mind that the States of the region could provide their own specific constructive contribution to the strengthening of peace, security, stability and cooperation in the Indian Ocean region;

2/ Ibid., Forty-ninth Session, Supplement No. 29 (A/49/29).

3/ Official Records of the Third United Nations Conference on the Law of the Sea, vol. XVII (United Nations publication, Sales No. E.84.V.3), document A/CONF.62/122.

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8. *Also requests* the Ad Hoc Committee to submit to the General Assembly at its fiftieth session a report on the implementation of the present resolution;

9. *Requests* the Secretary-General to continue to render all necessary assistance to the Ad Hoc Committee, including the provision of summary records;

10. *Decides* to include in the provisional agenda of its fiftieth session the item entitled "Implementation of the Declaration of the Indian Ocean as a Zone of Peace".

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A/RES/49/83
11 January 1995

Forty-ninth session
Agenda item 71

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the First Committee (A/49/708)]

49/83. Consolidation of the regime established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)

The General Assembly,

Recalling that in its resolution 1911 (XVIII) of 27 November 1963 it expressed the hope that the States of Latin America would take appropriate measures to conclude a treaty that would prohibit nuclear weapons in Latin America,

Recalling also that in the same resolution it voiced its confidence that, once such a treaty was concluded, all States, particularly the nuclear-weapon States, would lend it their full cooperation for the effective realization of its peaceful aims,

Considering that in its resolution 2028 (XX) of 19 November 1965 it established the principle of an acceptable balance of mutual responsibilities and obligations between nuclear-weapon States and those which do not possess such weapons,

Recalling that the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) 1/ was opened for signature at Mexico City on 14 February 1967,

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1/ United Nations, Treaty Series, vol. 634, No. 9068.

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Recalling also that in its preamble the Treaty of Tlatelolco states that military denuclearized zones are not an end in themselves but rather a means for achieving general and complete disarmament at a later stage,

Recalling further that in its resolution 2286 (XXII) of 5 December 1967 it welcomed with special satisfaction the Treaty of Tlatelolco as an event of historic significance in the efforts to prevent the proliferation of nuclear weapons and to promote international peace and security,

Bearing in mind that, with the full adherence in 1994 of Argentina, Belize, Brazil and Chile, the Treaty of Tlatelolco is in force for twenty-nine sovereign States of the region,

Recalling that in 1992 the General Conference of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean approved and opened for signature a set of amendments to the Treaty of Tlatelolco, submitted jointly by Argentina, Brazil, Chile and Mexico, [2] with the aim of enabling the full entry into force of that instrument,

Noting with satisfaction that the Government of Saint Kitts and Nevis subscribed to the Treaty of Tlatelolco on 18 February 1994,

Noting also with satisfaction the decision of the Government of Cuba to sign the Treaty of Tlatelolco in the near future, thus contributing to a greater integration among the peoples of Latin America and the Caribbean for the attainment of the aims of the Treaty,

Noting further with satisfaction that the amended Treaty of Tlatelolco is fully in force for Argentina, Brazil, Chile, Mexico and Suriname,

1. *Welcomes* the concrete steps taken by several countries of the region during the past year for the consolidation of the regime of military denuclearization established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco);

2. *Notes with satisfaction* the full adherence of Argentina, Belize, Brazil and Chile to the Treaty of Tlatelolco;

3. *Urges* the countries of the region that have not yet done so to deposit their instruments of ratification of the amendments to the Treaty of Tlatelolco approved by the General Conference of the Agency on the Prohibition of Nuclear Weapons in Latin America and the Caribbean in its resolutions 267 (E-V) of 3 July 1990, 268 (XII) of 10 May 1991 and 290 (VII) of 26 August 1992;

4. *Decides* to include in the provisional agenda of its fiftieth session the item entitled "Consolidation of the regime established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)".

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[2] A/47/467, annex.

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A/RES/49/84
11 January 1995

Forty-ninth session
Agenda item 72

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the First Committee (A/49/709)]

49/84. The South Atlantic region as a nuclear-weapon-free zone

The General Assembly,

Bearing in mind the Declaration on the Denuclearization of the South Atlantic, 1/ adopted on 22 September 1994, at Brasilia, by the third meeting of member States of the Zone of Peace and Cooperation of the South Atlantic,

Determined to continue to contribute to the process of general and complete disarmament, under effective international control, in particular in the field of nuclear weapons and other weapons of mass destruction, with a view to strengthening international peace and security,

Stressing the growing importance of the symbiotic relationship between disarmament and development in current international relations, and recognizing the importance of promoting social and economic development and international cooperation on the peaceful uses of nuclear energy,

Recalling the principles and norms of international law applicable to maritime space, in particular the use of the high seas for peaceful purposes and the freedom of navigation and overflight,

Cognizant of the support received for the full entry into force of the Treaty for the Prohibition of Nuclear Weapons in Latin America and the

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1/ A/49/467, annex II.

Caribbean (Treaty of Tlatelolco) 2/ and for the establishment of a nuclear-weapon-free zone in Africa,

1. Welcomes the commitment made by the States of the Zone of Peace and Cooperation of the South Atlantic to prevent the proliferation of nuclear weapons, in accordance with internationally recognized legal instruments;

2. Welcomes also the recent progress towards the full entry into force of the Treaty of Tlatelolco for all States of Latin America and the Caribbean, which will permit the consolidation in the near future of the status of the whole region as a nuclear-weapon-free zone;

3. Welcomes further the efforts made towards the implementation of the Declaration on the Denuclearization of Africa 3/ leading to the conclusion of a treaty establishing a nuclear-weapon-free zone in Africa;

4. Solemnly endorses the objective of the States of the Zone of Peace and Cooperation of the South Atlantic to turn the region of the South Atlantic into a nuclear-weapon-free zone;

5. Calls upon all States to cooperate fully for the achievement of the objective of turning the region of the South Atlantic into a nuclear-weapon-free zone.

90th plenary meeting
15 December 1994

2/ United Nations, Treaty Series, vol. 634, No. 9068.

3/ Official Records of the General Assembly, Twentieth Session, Annexes, agenda item 105, document A/5975.

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GENERAL

A/RES/49/85
11 January 1995

Forty-ninth session
Agenda item 73

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the First Committee (A/49/710)]

49/85. *Rationalization of the work and reform of the agenda of the First Committee*

The General Assembly,

Reaffirming its resolutions 47/54 G of 8 April 1993 and 48/87 of 16 December 1993,

Recalling its decision 48/499 of 14 September 1994,

Desiring to enhance the effectiveness of its First Committee to fulfil its role and responsibility in the sphere of disarmament and international security,

Stressing the need to organize the work of the First Committee in the most rational and effective way possible,

Recognizing the need to allow adequate time, during the annual sessions, to conduct intensive and focused consultations on the items under consideration in the First Committee,

Encouraged by the thematic approach adopted by the First Committee in the second phase of its work during the forty-ninth session,

1. *Decides* to adopt for the proceedings of the First Committee, pursuant to the thematic approach set out in paragraph 2 of General Assembly resolution 48/87, a phased approach with respect to the items on the agenda of the Committee, as follows:

(*a*) General debate on all disarmament and international security agenda items;

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(b) Informal thematic discussion of specific items under consideration in the First Committee;

(c) Consideration of all draft resolutions submitted under all disarmament and international security agenda items;

(d) Action on all draft resolutions submitted under all disarmament and international security agenda items;

(e) General debate, consideration of and action on draft resolutions submitted under the item entitled "Question of Antarctica";

2. Also decides that the number of meetings of the First Committee during the regular session of the General Assembly shall be recommended by the members of the Bureau of the First Committee after consultations with delegations and the Secretariat;

3. Requests the incoming Chairman of the First Committee to continue consultations on the further rationalization of the work and effective functioning of the Committee;

4. Requests the First Committee to keep under review the programme of work adopted under paragraph 1 of the present resolution;

5. Urges the Secretary-General, from within existing resources, to allocate appropriate support and a higher proportion of available conference space to the First Committee during the fiftieth session to enable it adequately to implement its work programme;

6. Decides to review at its fiftieth session the question of further rationalization and improvement of the work of the First Committee.

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GENERAL

A/RES/49/86
11 January 1995

Forty-ninth session
Agenda item 153

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the First Committee (A/49/711)]

49/86. Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction

The General Assembly,

Recalling its previous resolutions relating to the complete and effective prohibition of bacteriological (biological) and toxin weapons and to their destruction,

Recalling also, in particular, its resolution 46/35 A, adopted without a vote on 6 December 1991, in which it welcomed, *inter alia*, the establishment, proceeding from the recommendations of the Third Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, 1/ of an ad hoc group of governmental experts open to all States parties to identify and examine potential verification measures from a scientific and technical standpoint,

Recalling further its resolution 48/65, adopted without a vote on 16 December 1993, in which it commended the final report of the Ad Hoc Group of Governmental Experts to Identify and Examine Potential Verification Measures

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1/ See BWC/CONF.III/23.

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from a Scientific and Technical Standpoint, 2/ agreed to by consensus at its last meeting at Geneva on 24 September 1993,

Noting with satisfaction that there are more than one hundred and thirty States parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, 3/ including all the permanent members of the Security Council,

Bearing in mind its call upon all States parties to the Convention to participate in the implementation of the recommendations of the Third Review Conference, including the exchange of information and data agreed to in the Final Declaration of the Third Review Conference, 4/ and to provide such information and data in conformity with standardized procedure to the Secretary-General on an annual basis and no later than 15 April,

Recalling the provisions of the Convention related to scientific and technological cooperation 5/ and the related provisions of the Final Document of the Third Review Conference, the final report of the Ad Hoc Group of Governmental Experts and the final report of the Special Conference of the States Parties to the Convention, held from 19 to 30 September 1994, 6/

1. Notes that a majority of States parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction requested the depositary Powers to convene a special conference in order to consider the final report of the Ad Hoc Group of Governmental Experts to Identify and Examine Potential Verification Measures from a Scientific and Technical Standpoint; 2/

2. Welcomes the final report of the Special Conference, adopted by consensus on 30 September 1994, in which the States parties agreed to establish an ad hoc group, open to all States parties, whose objective shall be to consider appropriate measures, including possible verification measures, and draft proposals to strengthen the Convention, to be included, as appropriate, in a legally binding instrument to be submitted for the consideration of the States parties;

3. Welcomes the information and data provided to date and reiterates its call upon all States parties to the Convention to participate in the exchange of information and data agreed to in the Final Declaration of the Third Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction;

2/ BWC/CONF.III/VEREX/9 and Corr.1.

3/ Resolution 2826 (XXVI), annex.

4/ BWC/CONF.III/23, part II.

5/ See resolution 2826 (XXVI), annex, article X.

6/ BWC/SPCONF/1.

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4. Requests the Secretary-General to render the necessary assistance to the depositary Powers of the Convention and to provide such services as may be required for the implementation of the decisions and recommendations of the Third Review Conference, as well as the decisions contained in the Final Report of the Special Conference, including all necessary assistance to the Ad Hoc Group of Governmental Experts;

5. Calls upon all signatory States that have not yet ratified the Convention to do so without delay, and also calls upon those States that have not signed the Convention to become parties thereto at an early date, thus contributing to the achievement of universal adherence to the Convention;

6. Decides to include in the provisional agenda of its fiftieth session the item entitled "Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction".

90th plenary meeting
15 December 1994

UNITED NATIONS **A**

General Assembly

Distr.
GENERAL

A/RES/49/138
11 January 1995

Forty-ninth session
Agenda item 72

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the First Committee (A/49/709)]

49/138. Establishment of an African nuclear-weapon-free zone

The General Assembly,

Bearing in mind the Declaration on the Denuclearization of Africa 1/ adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its first ordinary session, held at Cairo from 17 to 21 July 1964, in which they solemnly declare their readiness to undertake, through an international agreement to be concluded under United Nations auspices, not to manufacture or acquire control of atomic weapons,

Recalling its resolutions 1652 (XVI) of 24 November 1961 and 48/86 of 16 December 1993, its earliest and latest on the subject, as well as all its previous resolutions on the implementation of the Declaration on the Denuclearization of Africa,

Desirous of ensuring the implementation of the provisions of paragraphs 60 to 63 of the Final Document of the Tenth Special Session of the General Assembly, 2/

Calling upon all States to consider and respect the continent of Africa and its surrounding areas as a nuclear-weapon-free zone,

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1/ Official Records of the General Assembly, Twentieth Session, Annexes, agenda item 105, document A/5975.

2/ Resolution S-10/2.

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Bearing in mind the provisions of resolutions CM/Res.1342 (LIV) [3] and CM/Res.1395 (LVI) Rev.1 [4] on the implementation of the Declaration on the Denuclearization of Africa adopted by the Council of Ministers of the Organization of African Unity at its fifty-fourth and fifty-sixth ordinary sessions, held at Abuja from 27 May to 1 June 1991 and at Dakar from 22 to 28 June 1992, respectively,

Taking note of resolution CM/Res.1529 (LX) on the implementation of an African nuclear-weapon-free-zone treaty adopted by the Council of Ministers of the Organization of African Unity at its sixtieth ordinary session, held at Tunis from 6 to 11 June 1994, [5]

Recalling resolution GC (XXXVIII)/RES/17 on an African nuclear-weapon-free zone, adopted on 23 September 1994 by the General Conference of the International Atomic Energy Agency, [6]

Welcoming the progress made at the fourth and fifth meetings of the Group of Experts to Prepare a Draft Treaty on an African Nuclear-Weapon-Free Zone set up jointly by the Organization of African Unity and the United Nations, held at Windhoek from 16 to 25 March 1994 and at Addis Ababa from 11 to 14 May 1994, respectively,

1. *Takes note* of the report of the fourth and fifth meetings of the Group of Experts to Prepare a Draft Treaty on an African Nuclear-Weapon-Free Zone; [7]

2. *Notes* the South African Government's offer of South Africa as the seat of the African commission on nuclear energy once it is established;

3. *Reaffirms* that the implementation of the Declaration on the Denuclearization of Africa adopted by the Assembly of Heads of State and Government of the Organization of African Unity would be an important measure to prevent the proliferation of nuclear weapons and to promote international peace and security;

4. *Welcomes with satisfaction* the announcement by Algeria of its decision to deposit its instruments of accession to the Treaty on the Non-Proliferation of Nuclear Weapons; [8]

5. *Strongly renews its call* upon all States to consider and respect the continent of Africa and its surrounding areas as a nuclear-weapon-free zone;

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[3] See A/46/390, annex I.

[4] See A/47/558, annex I.

[5] See A/49/313, annex I.

[6] A/49/550, annex II.

[7] A/49/436, annex.

[8] United Nations, *Treaty Series*, vol. 729, No. 10485.

6. Takes note of the report of the Director General of the International Atomic Energy Agency on the Agency's verification activities in South Africa; 9/

7. Commends the Secretary-General for the diligence with which he has rendered effective assistance to the Organization of African Unity in organizing the meetings of the above-mentioned Group of Experts;

8. Encourages the African States to continue their commendable efforts towards the finalization of the drafting of an African nuclear-weapon-free-zone treaty;

9. Requests the Secretary-General, in consultation with the Organization of African Unity, to take appropriate action to enable the Group of Experts designated by the United Nations in cooperation with the Organization of African Unity to meet jointly with the Intergovernmental Group of Experts of the Organization of African Unity early in 1995 at Pretoria in order to finalize the drafting of a treaty on a nuclear-weapon-free zone in Africa, and to submit the text of the treaty to the General Assembly at its fiftieth session under the item entitled "Final text of a treaty on an African nuclear-weapon-free zone".

92nd plenary meeting
19 December 1994

9/ See A/49/550.

ONFERENCE ON DISARMAMENT

CD/1289
18 January 1995

Original: ENGLISH

LETTER DATED 13 JANUARY 1995 FROM THE DEPUTY PERMANENT REPRESENTATIVE OF CANADA ADDRESSED TO THE DEPUTY SECRETARY-GENERAL OF THE CONFERENCE ON DISARMAMENT TRANSMITTING AN ARMS CONTROL AND DISARMAMENT PUBLICATION ENTITLED "BIBLIOGRAPHY ON ARMS CONTROL VERIFICATION: THIRD UPDATE" 1/

You will find enclosed copies of a new Canadian Arms Control and Disarmament publication, entitled "Bibliography on Arms Control Verification: Third Update".

I would be grateful if the necessary arrangements could be made for its distribution to all member and participating non-member State delegations, under cover of a CD number.

(Signed): Andrew McAlister
Minister and Deputy Permanent
Representative to the
Conference on Disarmament

1/ A limited distribution of this publication in English only has been made available to the members and non-members invited to participate in the work of the Conference on Disarmament. Additional copies are available from the Permanent Mission of Canada.

ONFERENCE ON DISARMAMENT

CD/1290
23 January 1995

ENGLISH
Original: FRENCH

NOTE VERBALE DATED 17 JANUARY 1995 FROM THE PERMANENT MISSION OF THE PEOPLE'S DEMOCRATIC REPUBLIC OF ALGERIA ADDRESSED TO THE SECRETARIAT OF THE CONFERENCE ON DISARMAMENT TRANSMITTING THE TEXT OF A COMMUNIQUE RELEASED BY THE MINISTRY OF FOREIGN AFFAIRS OF ALGERIA FOLLOWING THE DEPOSIT OF THE INSTRUMENTS OF ACCESSION TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

The Permanent Mission of the People's Democratic Republic of Algeria to the United Nations Office and international organizations in Switzerland presents its compliments to the secretariat of the Conference on Disarmament and has the honour to transmit to it the text of a communiqué released by the Ministry of Foreign Affairs of Algeria following the deposit of the instruments of accession to the Treaty on the Non-Proliferation of Nuclear Weapons.

The Permanent Mission would be grateful if the secretariat of the Conference on Disarmament would have this text circulated as an official document of the Conference.

ACCESSION TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS: COMMUNIQUE ISSUED BY THE MINISTRY OF FOREIGN AFFAIRS OF THE PEOPLE'S DEMOCRATIC REPUBLIC OF ALGERIA

On 12 January 1995, Algeria deposited the instruments of accession to the Treaty on the Non-Proliferation of Nuclear Weapons in the capitals of the depositary States.

By this action, which forms part of a consistent approach to all disarmament and non-proliferation issues, Algeria has confirmed its commitment to the peaceful use of nuclear energy and its resolve to continue to contribute to multilateral disarmament efforts.

In doing so, Algeria remains convinced of the need for all States to accede to the NPT and to place their nuclear installations under International Atomic Energy Agency safeguards. It likewise remains confident that the obligations stemming from the Treaty as regards guarantees to non-nuclear-weapon States and technology transfer will without delay give rise to concrete measures which will give meaning to the vital universality of the Treaty.

In this spirit, Algeria will not fail to strive, in its new capacity as a State party, to ensure at the forthcoming NPT review conference that the Treaty becomes an effective instrument for the promotion of collective security and international cooperation.

CONFERENCE ON DISARMAMENT

CD/1291
24 January 1995

Original: ARABIC, CHINESE,
ENGLISH, FRENCH,
RUSSIAN AND SPANISH

LETTER DATED 20 DECEMBER 1994 FROM THE PERMANENT REPRESENTATIVE OF HUNGARY ADDRESSED TO THE SECRETARY-GENERAL OF THE CONFERENCE ON DISARMAMENT TRANSMITTING THE TEXT OF THE "CSCE BUDAPEST DOCUMENT 1994 - TOWARDS A GENUINE PARTNERSHIP IN A NEW ERA" ADOPTED AT THE MEETING OF THE HEADS OF STATE OR GOVERNMENT OF THE STATES PARTICIPATING IN THE CONFERENCE ON SECURITY AND COOPERATION IN EUROPE (BUDAPEST, 6 DECEMBER 1994) 1/

I have the honour to transmit herewith the text of the "CSCE Budapest Document 1994 - Towards a genuine partnership in a new era" adopted at the meeting of the Heads of State or Government of the States participating in the Conference on Security and Cooperation in Europe (Budapest, 6 December 1994).

I would be grateful if you ensured the distribution of this text as an official document of the Conference on Disarmament.

(*Signed*): Dr. György Boytha
Permanent Representative of the
Republic of Hungary to the
Conference on Disarmament

1/ Reprinted from document A/49/800 - S/1994/1435 of 22 December 1994.

UNITED NATIONS

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General Assembly
Security Council

Distr.
GENERAL

A/49/800
S/1994/1435
22 December 1994
ENGLISH
ORIGINAL: ENGLISH/FRENCH/
SPANISH/RUSSIAN

GENERAL ASSEMBLY
Forty-ninth session
Agenda item 27
COOPERATION BETWEEN THE UNITED NATIONS AND THE CONFERENCE ON SECURITY AND COOPERATION IN EUROPE

SECURITY COUNCIL
Forty-ninth year

Letter dated 21 December 1994 from the Permanent Representative of Hungary to the United Nations addressed to the Secretary-General

I have the honour to forward herewith the text of the Document of the Budapest Summit of 1994 of the Conference on Security and Cooperation in Europe (CSCE), entitled "Towards a genuine partnership in a new era".

I should be grateful if you could arrange for the text of the present letter and its annex to be circulated as a document of the General Assembly, under agenda item 27, and of the Security Council.

(Signed) István NÁTHON
Ambassador

ANNEX

Document of the Budapest Summit of 1994 of the Conference on Security and Cooperation in Europe

Towards a genuine partnership in a new era

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BUDAPEST SUMMIT DECLARATION

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BUDAPEST SUMMIT DECLARATION

Towards a Genuine Partnership in a New Era

1. We, the Heads of State or Government of the States participating in the Conference on Security and Co-operation in Europe, have met in Budapest to assess together the recent past, to consider the present and to look to the future. We do so as we approach the Fiftieth Anniversary of the end of World War II and the Twentieth Anniversary of the signing of the Helsinki Final Act, and as we commemorate the Fifth Anniversary of the fall of the Berlin Wall.

2. We believe in the central role of the CSCE in building a secure and stable CSCE community, whole and free. We reaffirm the principles of the Helsinki Final Act and subsequent CSCE documents. They reflect shared values which will guide our policies, individually and collectively, in all organizations and institutions to which we belong.

3. The CSCE is the security structure embracing States from Vancouver to Vladivostok. We are determined to give a new political impetus to the CSCE, thus enabling it to play a cardinal role in meeting the challenges of the twenty-first century. To reflect this determination, the CSCE will henceforth be known as the Organization for Security and Co-operation in Europe (OSCE).

4. The CSCE has been instrumental in overcoming barriers and in managing change throughout our region. Since we last met, there have been further encouraging developments. Most vestiges of the Cold War have disappeared. Free elections have been held and the roots of democracy have spread and struck deeper. Yet the path to stable democracy, efficient market economy and social justice is a hard one.

5. The spread of freedoms has been accompanied by new conflicts and the revival of old ones. Warfare in the CSCE region to achieve hegemony and territorial expansion continues to occur. Human rights and fundamental freedoms are still flouted, intolerance persists and discrimination against minorities is practised. The plagues of aggressive nationalism, racism, chauvinism, xenophobia, anti-semitism and ethnic tension are still widespread. Along with social and economic instability, they are among the main sources of crisis, loss of life and human misery. They reflect failure to apply the CSCE principles and commitments. This situation

requires our resolute action. We must work together to ensure full respect for these principles and commitments as well as effective solidarity and co-operation to relieve suffering.

6. We recognize that societies in the CSCE region are increasingly threatened by terrorism. We reiterate our unreserved condemnation of all acts and practices of terrorism, which cannot be justified under any circumstances. We reconfirm our determination to combat terrorism and our commitment for enhanced co-operation to eliminate this threat to security, democracy and human rights.

7. The CSCE will be a forum where concerns of participating States are discussed, their security interests are heard and acted upon. We will further enhance its role as an instrument for the integration of these States in resolving security problems. Through the CSCE, we will build a genuine security partnership among all participating States, whether or not they are members of other security organizations. In doing so, we will be guided by the CSCE's comprehensive concept of security and its indivisibility, as well as by our commitment not to pursue national security interests at the expense of others. The CSCE's democratic values are fundamental to our goal of a community of nations with no divisions, old or new, in which the sovereign equality and the independence of all States are fully respected, there are no spheres of influence and the human rights and fundamental freedoms of all individuals, regardless of race, colour, sex, language, religion, social origin or of belonging to a minority, are vigorously protected.

8. The CSCE will be a primary instrument for early warning, conflict prevention and crisis management in the region. We have agreed that the participating States may in exceptional circumstances jointly decide that a dispute will be referred to the United Nations Security Council on behalf of the CSCE. We have also decided to pursue more systematic and practical co-operation between the CSCE and European and other regional and transatlantic organizations and institutions that share its values and objectives.

9. The CSCE has created new tools to deal with new challenges. In this regard, we welcome the entry into force of the Convention on Conciliation and Arbitration within the CSCE. We will further enhance the CSCE's role and capabilities in early warning, conflict prevention and crisis management, using, *inter alia*, CSCE peacekeeping operations and missions. We will provide consistent political support and adequate resources for CSCE efforts. We have agreed to

strengthen the CSGE's political consultative and decision-making bodies and its executive action by the Chairman-in-Office, supported by the Troika, as well as other CSCE procedures and institutions, in particular the Secretary General and the Secretariat, the High Commissioner on National Minorities and the Office for Democratic Institutions and Human Rights. We have also decided to enhance our contacts and dialogue with the CSCE Parliamentary Assembly.

10. Continuing the CSCE's norm-setting role, we have established a "Code of Conduct on Politico-Military Aspects of Security" that, *inter alia*, sets forth principles guiding the role of armed forces in democratic societies.

11. We welcome the adoption by the CSCE Forum for Security Co-operation of substantial measures, including a new, developed Vienna Document 1994. A compendium of related measures is annexed to Decision VI of the Budapest Document. In order to provide further momentum to arms control, disarmament and confidence- and security-building that adds to earlier decisions and agreements, we have directed it to continue its work in accordance with its mandate and to develop a framework which will serve as a basis for an agenda for establishing new measures of arms control, including in particular confidence- and security-building. We have also mandated it to address specific regional security problems, with special emphasis on longer-term stability in South-Eastern Europe.

12. In view of the new threats posed by the proliferation of weapons of mass destruction, we have agreed on basic principles to guide our national policies in support of common non-proliferation objectives. We are strongly committed to the full implementation and indefinite and unconditional extension of the Treaty on the Non-Proliferation of Nuclear Weapons. We welcome the recent statements by the four nuclear-weapon States in the CSCE region relating to nuclear testing as being consistent with negotiation of a comprehensive nuclear test-ban treaty. We urge that all signatories to the Convention on the Prohibition of Development, Production, Stockpiling or Use of Chemical Weapons and on their Destruction complete the ratification process in the shortest possible time. We also underline the importance of an early entry into force and implementation of the Treaty on Open Skies.

13. In light of continuing rapid change, we deem it important to start discussion on a model of common and comprehensive security for our region for the twenty-first century, based on the

CSCE principles and commitments. This discussion will take into account the CSCE's contribution to security, stability and co-operation. The Chairman-in-Office will present a progress report to the next Ministerial Council in 1995 in Budapest. The results of discussion on such a security model will be submitted to our next Summit Meeting in Lisbon in 1996.

14. We confirm the significance of the Human Dimension in all the activities of the CSCE. Respect for human rights and fundamental freedoms, democracy and the rule of law is an essential component of security and co-operation in the CSCE region. It must remain a primary goal of CSCE action. Periodic reviews of implementation of our commitments, fundamental throughout the CSCE, are critical in the Human Dimension. The enhanced capabilities of the Office for Democratic Institutions and Human Rights will continue to assist participating States, in particular those in transition. We underline the importance of human contacts in overcoming the legacy of old divisions.

15. We recognize that market economy and sustainable economic development are integral to the CSCE's comprehensive concept of security. We encourage the strengthening of co-operation to support the transition processes, regional co-operation and environmental responsibility. We welcome the role played by the relevant international organizations and institutions, such as the United Nations Economic Commission for Europe, OECD, EBRD and EIB, in support of the CSCE's economic dimension priorities. We are committed to enhancing the effectiveness of the Economic Forum and of the CSCE's other economic dimension activities. We ask the Chairman-in-Office to explore ways to integrate economic dimension issues into the tasks faced by the CSCE and report on progress at our next Summit Meeting.

16. We welcome the Declaration of Paris which launched the process aimed at the establishment of a Pact on Stability, as well as the intention expressed therein to entrust the CSCE with following the implementation of the Pact.

17. Strengthening security and co-operation in the Mediterranean is important for stability in the CSCE region. We welcome progress towards peace in the Middle East and its positive implications for European security. The common position adopted by Algeria, Egypt, Israel, Morocco and Tunisia on CSCE-Mediterranean relations encourages us to deepen the

long-standing relationship and reinforce co-operation between the CSCE and the non-participating Mediterranean States."

18. We note with satisfaction the development of our relationship with Japan.

We welcome the interest of the Republic of Korea which has attended the CSCE Summit Meeting for the first time and of other States in the CSCE's experience and activities, and express our readiness to co-operate with them in areas of mutual interest.

19. In order to move towards a genuine partnership in a new era, we have today adopted the Budapest Decisions which will be implemented fully and in good faith.

20. We entrust the Ministerial Council with the further steps which may be required to implement them. The Council may adopt any amendment to the decisions which it may deem appropriate.

21. The full text of the Budapest Document will be published in each participating State, which will make it known as widely as possible.

22. The Government of Hungary is requested to transmit to the Secretary-General of the United Nations the text of the Budapest Document, which is not eligible for registration under Article 102 of the Charter of the United Nations, with a view to its circulation to all the members of the Organization as an official document of the United Nations.

Budapest, 6 December 1994

Declaration on the Fiftieth Anniversary of the Termination of World War II

1. In 1995 mankind will commemorate the 50th anniversary of the end of the battles of World War II which caused unprecedented suffering and destruction.

2. We mourn the tens of millions of people who lost their lives. We honour the memory of all those who fought for the victory of humanity and against dictatorship, oppression and aggression.

3. World War II and its profound and long-lasting consequences constitute a constant warning to us to observe with all our strength and determination the principles of the Helsinki Final Act. Through the power of its ideas, through the courage of men and women, through the strength of the will of the people Europe has finally liberated itself from the legacy of the past and has opened a new era for democracy, peace and unity. Guided by our desire to create a truly unified Europe we, the Heads of State or Government of the States participating in the CSCE, therefore reaffirm our intention to seek ever closer co-operation in a Europe without walls, without ideological barriers and without political animosities.

4. The CSCE is the appropriate and indispensable framework for the ongoing process of change. As a community of States dedicated to freedom and democracy, from Vancouver to Vladivostok, we are ready to make full use of CSCE potential in preventing new rifts and divisions in the CSCE region and in providing security and stability for all participating States.

5. Too many parts of our community are still overshadowed by violence and bloodshed. We are all called upon to ensure that under no circumstances does barbarity have any place in the CSCE region.

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6. **Remembering the World War II tragedy, and aware of today's violence and conflicts, both among and within States, we:**

- **recall the obligation to refrain from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the principles and purposes of the Charter of the United Nations and the Helsinki Final Act;**

- **resolutely declare that the participating States will intensify efforts in order to bring to an end all existing conflicts, and to spare future generations from the scourge of new wars in any form, including through education in lessons drawn from the history of wars.**

7. **We are convinced that the implementation of this commitment will be the best way to render justice to those who struggled for peace, freedom, democracy and human dignity and to commemorate the victims of World War II. Only thus we will ensure that such tragedies will never be repeated and that Europe will be transformed into a united continent of peace, stability, co-operation and prosperity.**

Declaration on Baltic Issues

The participating States welcomed the withdrawal of foreign troops from the Baltic States as agreed in paragraph 15 of the Helsinki Summit Declaration of 1992. They acknowledged this as an event of historic significance and as an important factor in stabilizing the security environment in the Baltic region.

They agreed that this achievement will promote good-neighbourly relations and constructive co-operation in the region. The participating States noted in this regard that the CSCE offers a variety of means of co-operation and support, including a framework for consultation and dialogue, missions and assistance in the implementation of bilateral agreements. They declared their readiness to make the best possible use of the CSCE in order to consolidate and enhance security, stability, respect for human rights, and continued democratic evolution in all participating States in the Baltic region. In this connection, the CSCE, considering its positive experience in the Baltic States, will further extend its role in the human dimension, including in human rights, as well as in other areas, towards all participating States in the Baltic region.

They acknowledged the valuable contribution of the Council of the Baltic Sea States to regional co-operation.

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BUDAPEST DECISIONS

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I

STRENGTHENING THE CSCE

1. The new era of security and co-operation in Europe has led to a fundamental change in the CSCE and to a dramatic growth in its role in shaping our common security area. To reflect this the CSCE will henceforth be known as the Organization for Security and Co-operation in Europe (OSCE). The change in name will be effective on 1 January 1995. As of this date, all references to the CSCE will henceforth be considered as references to the OSCE.

2. The participating States are determined to exploit its potential to the fullest, and agreed in that spirit on the following goals and objectives along with structural changes needed to strengthen the CSCE and make it as effective as possible. The purpose is to strengthen the CSCE's contribution to security, stability and co-operation in the CSCE region so that it plays a central role in the promotion of a common security space based on the principles of the Helsinki Final Act.

3. The Heads of State or Government have directed that the future role and functions of the CSCE will include the following:

4. - to make vigorous use of its norms and standards in shaping a common security area;

5. - to ensure full implementation of all CSCE commitments;

6. - to serve, based on consensus rules, as the inclusive and comprehensive forum for consultation, decision-making and co-operation in Europe;

7. - to enhance good-neighbourly relations through encouraging the conclusion of bilateral, regional and potential CSCE-wide agreements or arrangements between and among participating States;

8. - to strengthen further the CSCE's capacity and activity in preventive diplomacy;

9. - to further its principles and develop its capabilities in conflict resolution, crisis management and peacekeeping and in post-conflict rehabilitation, including assisting with reconstruction;

10. - to enhance security and stability through arms control, disarmament and confidence- and security-building throughout the CSCE region and at regional levels;

11. - to develop further CSCE work in the field of human rights and fundamental freedoms, and other areas of the human dimension;

12. - to promote co-operation among participating States to establish strong market-based economies throughout the CSCE region;

13. - to enhance further the CSCE's problem-solving activities and abilities taking into account the whole spectrum of its responsibilities as they have developed after the adoption of the Helsinki Final Act in order to meet the new challenges and risks.

14. To accomplish these objectives, the CSCE will function as follows:

15. The next Meeting of Heads of State or Government will take place in 1996 in Lisbon preceded by a preparatory meeting. The Summit will decide on the frequency of future Summit meetings.

16. The Ministerial Council (formerly the CSCE Council) as the central decision-making and governing body of the CSCE will meet, as a rule, towards the end of every term of chairmanship at the level of Foreign Ministers.

17. The Senior Council (replacing the Committee of Senior Officials) will meet in Prague twice a year, at the minimum. An additional meeting will be held before the Ministerial Council Meeting. The Senior Council will discuss and set forth policy and broad budgetary guidelines. The participating States are encouraged to be represented at the level of political directors or at a corresponding level. The Senior Council will also be convened as the Economic Forum.

18. The Permanent Council (formerly the Permanent Committee) will be the regular body for political consultation and decision-making. It can also be convened for emergency purposes. It will meet in Vienna and be composed of the permanent representatives of the participating States.

19. Overall responsibility for executive action will remain with the Chairman-in-Office (CIO). The CIO will continue to take full advantage of his/her mandate, *inter alia*, by dispatching personal representatives. The CIO will be assisted by the Troika. The term of chairmanship will normally last one calendar year.

20. The Secretary General will continue to take full advantage of his/her mandate and in support of the CIO will be more actively involved in all aspects of the management of the CSCE. He/she participates in Troika ministerial meetings.

21. The continuation of the activities of the High Commissioner on National Minorities will be supported and his/her resources will be enhanced. The participating States will increase their efforts to implement his/her recommendations.

22. The work of CSCE missions will be given political support and follow-up from the Permanent Council. In order to ensure the fulfilment of their tasks, the necessary human and financial resources will be committed by the participating States.

23. The CSCE Office for Democratic Institutions and Human Rights will be strengthened in playing an important role in CSCE activities.

24. The CIO will continue to maintain close contacts and an active dialogue with the Parliamentary Assembly (PA). The CIO will draw the recommendations of the PA to the attention of the Permanent Council and inform the PA on the activities of the CSCE.

25. The current mode of review of implementation of all CSCE commitments will be maintained. The review meeting before each Summit will be held in Vienna.

26. The CSCE will enhance co-operation with the United Nations and European and other regional and transatlantic organizations, while avoiding duplication of effort. As participants in a

regional arrangement under Chapter VIII of the Charter of the United Nations, CSCE participating States will make every effort to achieve pacific settlement of local disputes before referring them to the United Nations Security Council.

27. As a comprehensive framework for security, the CSCE will be ready to act as a repository for freely negotiated bilateral and multilateral arrangements and agreements and to follow their implementation if requested by the parties.

28. The CIO will prepare a consolidated text on decisions concerning CSCE structures and institutions by the Budapest 1995 Ministerial Council Meeting.

29. The change in name from CSCE to OSCE alters neither the character of our CSCE commitments nor the status of the CSCE and its institutions. In its organizational development the CSCE will remain flexible and dynamic. Work will be continued on issues relating to further institutional development of the CSCE, including strengthening and rationalization of its instruments and mechanisms. The CSCE will regularly review its goals, operations and structural arrangements. The CSCE will review implementation of the Rome Decision on Legal Capacity and Privileges and Immunities and explore if necessary the possibility of further arrangements of a legal nature. Participating States will, furthermore, examine possible ways of incorporating their commitments into national legislation and, where appropriate, of concluding treaties.

II

REGIONAL ISSUES

Intensification of CSCE action in relation to the Nagorno-Karabakh conflict

1. Deploring the continuation of the conflict and the human tragedy involved, the participating States welcomed the confirmation by the parties to the conflict of the cease-fire agreed on 12 May 1994 through the mediation of the Russian Federation in co-operation with the CSCE Minsk Group. They confirmed their commitment to the relevant resolutions of the United Nations Security Council and welcomed the political support given by the Security Council to the CSCE's efforts towards a peaceful settlement of the conflict. To this end they called on the parties to the conflict to enter into intensified substantive talks, including direct contacts. In this context, they pledged to redouble the efforts and assistance by the CSCE. They strongly endorsed the mediation efforts of the CSCE Minsk Group and expressed appreciation for the crucial contribution of the Russian Federation and the efforts by other individual members of the Minsk Group. They agreed to harmonize these into a single co-ordinated effort within the framework of the CSCE.

2. To this end, they have directed the Chairman-in-Office, in consultation with the participating States and acting as soon as possible, to name co-chairmen of the Minsk Conference to ensure a common and agreed basis for negotiations and to realize full co-ordination in all mediation and negotiation activities. The co-chairmen, guided in all of their negotiating efforts by CSCE principles and an agreed mandate, will jointly chair meetings of the Minsk Group and jointly report to the Chairman-in-Office. They will regularly brief the Permanent Council on the progress of their work.

3. As a first step in this effort, they directed the co-chairmen of the Minsk Conference to take immediate steps to promote, with the support and co-operation of the Russian Federation and other individual members of the Minsk Group, the continuation of the existing cease-fire and, drawing upon the progress already achieved in previous mediation activities, to conduct speedy

negotiations for the conclusion of a political agreement on the cessation of the armed conflict, the implementation of which will eliminate major consequences of the conflict for all parties and permit the convening of the Minsk Conference. They further requested the co-chairmen of the Minsk Conference to continue working with the parties towards further implementation of confidence-building measures, particularly in the humanitarian field. They underlined the need for participating States to take action, both individually and within relevant international organizations, to provide humanitarian assistance to the people of the region with special emphasis on alleviating the plight of refugees.

4. They agreed that, in line with the view of the parties to the conflict, the conclusion of the agreement mentioned above would also make it possible to deploy multinational peacekeeping forces as an essential element for the implementation of the agreement itself. They declared their political will to provide, with an appropriate resolution from the United Nations Security Council, a multinational CSCE peacekeeping force following agreement among the parties for cessation of the armed conflict. They requested the Chairman-in-Office to develop as soon as possible a plan for the establishment, composition and operations of such a force, organized on the basis of Chapter III of the Helsinki Document 1992 and in a manner fully consistent with the Charter of the United Nations. To this end the Chairman-in-Office will be assisted by the co-chairmen of the Minsk Conference and by the Minsk Group, and be supported by the Secretary General; after appropriate consultations he will also establish a high-level planning group in Vienna to make recommendations on, *inter alia*, the size and characteristics of the force, command and control, logistics, allocation of units and resources, rules of engagement and arrangements with contributing States. He will seek the support of the United Nations on the basis of the stated United Nations readiness to provide technical advice and expertise. He will also seek continuing political support from the United Nations Security Council for the possible deployment of a CSCE peacekeeping force.

5. On the basis of such preparatory work and the relevant provisions of Chapter III of the Helsinki Document 1992, and following agreement and a formal request by the parties to the Chairman-in-Office through the co-chairmen of the Minsk Conference, the Permanent Council will take a decision on the establishment of the CSCE peacekeeping operation.

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Georgia

1. **Faced with the alarming situation in the Republic of Georgia, which has been even further aggravated by the recent events in Abkhazia, the participating States reiterated their strong support for the sovereignty and territorial integrity of Georgia within its internationally recognized borders. On the basis of these principles, a settlement of the conflicts in Georgia must be reached. The interests of the multi-ethnic population in the areas of conflicts must also be taken into account.**

2. **The participating States expressed their concern about the unilateral acts of 26 November 1994 by the authorities of Abkhazia, Republic of Georgia. This undermines both United Nations and CSCE efforts to promote a peaceful political settlement through negotiations between the conflicting parties in Georgia.**

They expressed their deep concern over "ethnic cleansing", the massive expulsion of people, predominantly Georgian, from their living areas and the deaths of large numbers of innocent civilians.

They expressed their hope that the efforts conducted under the auspices of the United Nations and with the assistance of the Russian Federation as facilitator and with the participation of representatives of the CSCE will improve the situation in Abkhazia and thus permit the early return of refugees and displaced persons to their homes in safety and with dignity. In this context, they called on the parties to the conflict to adhere strictly to the principles and recommendations set forth in the relevant United Nations Security Council resolutions as well as in agreements reached in the course of the negotiating process.

3. **The participating States noted with satisfaction that certain positive steps have been taken towards a peaceful resolution of the Georgian-Ossetian conflict, building upon the work accomplished by the joint peacekeeping forces (established under the Sochi Agreement as Joint Peacekeeping and Law Enforcement Forces, JPLEF) in maintaining the cease-fire in the conflict area.**

These encouraging developments were facilitated by the activities of the CSCE Mission to Georgia and the efforts of the Russian Federation. The participating States encourage the Mission to persevere in its efforts to promote political dialogue between all parties to the conflict, thus contributing to reconciliation and the preparation of a broader political framework in which a lasting settlement of the Georgian-Ossetian conflict can be achieved on the basis of CSCE principles and commitments.

They take note of the activities of the joint peacekeeping forces, established under the Sochi Agreement of 24 June 1992, and welcome the present negotiations to achieve further progress toward a political solution, with the participation of the CSCE Mission. They call upon the CSCE Mission to continue to fulfil its mandate with respect to monitoring the activities of the joint peacekeeping forces.

The participating States welcomed the agreement of all the parties reached on 31 October 1994 to reconvene the Joint Control Commission (JCC) in which the Mission will actively participate.

4. The participating States expressed their appreciation for the efforts undertaken by the Government of Georgia to promote respect for human rights and fundamental freedoms, to build legal and democratic institutions and to assure full transition to a market economy. The Mission will remain actively engaged in assisting the Georgian authorities in these efforts. They urge appropriate governments and international organizations to provide political support and humanitarian and technical assistance to the Republic of Georgia.

5. The participating States consider that it may be desirable to convene at the appropriate time international conferences under the auspices of the CSCE and the United Nations, and with the participation of other international organizations and interested States, to review progress towards settling the conflicts and the development of a democratic society in Georgia.

Moldova

The participating States welcomed the constructive work of the CSCE Mission to Moldova and pledged their continued support for its efforts.

Recalling the relevant decisions of the Rome Council and subsequent decisions of the Committee of Senior Officials and Permanent Committee, the participating States welcomed the signature on 21 October 1994 of the Agreement between the Republic of Moldova and the Russian Federation on the withdrawal of the Russian Fourteenth Army. They called for the early entry into force of this Agreement thus permitting a timely, orderly and complete withdrawal of these troops from the territory of the Republic of Moldova.

In view of the CSCE's commitment to promote good-neighbourly relations between the participating States, the CSCE will offer the services of its Mission in Moldova to follow closely the implementation of this Agreement by both sides and will remain actively engaged in the search for a lasting political solution of the problems in the eastern part of Moldova (Trans-Dniester region) based on respect for the independence, sovereignty and territorial integrity of the Republic of Moldova. The Mission will continue to co-operate with the representative of the President of the Russian Federation. The participating States welcomed the commitment by both parties to conduct the withdrawal of the Russian Fourteenth Army from the territory of Moldova and the search for a political settlement of the problems of the eastern part of Moldova (Trans-Dniester region) as two parallel processes which will not hamper each other.

III

FURTHER DEVELOPMENT OF THE CAPABILITIES OF THE CSCE IN CONFLICT PREVENTION AND CRISIS MANAGEMENT

Confirming Chapter II of the Decisions of the Rome Council Meeting, the participating States request the Senior Council and the Permanent Council to pursue their work on this subject on the basis of the work carried out by the Permanent Committee and the Budapest Review Conference during 1994.

IV

CODE OF CONDUCT ON POLITICO-MILITARY ASPECTS OF SECURITY

PREAMBLE

The participating States of the Conference on Security and Co-operation in Europe (CSCE),

Recognizing the need to enhance security co-operation, including through the further encouragement of norms of responsible and co-operative behaviour in the field of security,

Confirming that nothing in this Code diminishes the validity and applicability of the purposes and principles of the Charter of the United Nations or of other provisions of international law,

Reaffirming the undiminished validity of the guiding principles and common values of the Helsinki Final Act, the Charter of Paris and the Helsinki Document 1992, embodying responsibilities of States towards each other and of governments towards their people, as well as the validity of other CSCE commitments,

Have adopted the following Code of Conduct on politico-military aspects of security:

I

1. The participating States emphasize that the full respect for all CSCE principles embodied in the Helsinki Final Act and the implementation in good faith of all commitments undertaken in the CSCE are of fundamental importance for stability and security, and consequently constitute a matter of direct and legitimate concern to all of them.

2. The participating States confirm the continuing validity of their comprehensive concept of security, as initiated in the Final Act, which relates the maintenance of peace to the respect for

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human rights and fundamental freedoms. It links economic and environmental co-operation with peaceful inter-State relations.

3. They remain convinced that security is indivisible and that the security of each of them is inseparably linked to the security of all others. They will not strengthen their security at the expense of the security of other States. They will pursue their own security interests in conformity with the common effort to strengthen security and stability in the CSCE area and beyond.

4. Reaffirming their respect for each other's sovereign equality and individuality as well as the rights inherent in and encompassed by its sovereignty, the participating States will base their mutual security relations upon a co-operative approach. They emphasize in this regard the key role of the CSCE. They will continue to develop complementary and mutually reinforcing institutions that include European and transatlantic organizations, multilateral and bilateral undertakings and various forms of regional and subregional co-operation. The participating States will co-operate in ensuring that all such security arrangements are in harmony with CSCE principles and commitments under this Code.

5. They are determined to act in solidarity if CSCE norms and commitments are violated and to facilitate concerted responses to security challenges that they may face as a result. They will consult promptly, in conformity with their CSCE responsibilities, with a participating State seeking assistance in realizing its individual or collective self-defence. They will consider jointly the nature of the threat and actions that may be required in defence of their common values.

II

6. The participating States will not support terrorist acts in any way and will take appropriate measures to prevent and combat terrorism in all its forms. They will co-operate fully in combating the threat of terrorist activities through implementation of international instruments and commitments they agree upon in this respect. They will, in particular, take steps to fulfil the requirements of international agreements by which they are bound to prosecute or extradite terrorists.

III

7. **The participating States recall that the principles of the Helsinki Final Act are all of primary significance and, accordingly, that they will be equally and unreservedly applied, each of them being interpreted taking into account the others.**

8. **The participating States will not provide assistance to or support States that are in violation of their obligation to refrain from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the Charter of the United Nations and with the Declaration on Principles Guiding Relations between Participating States contained in the Helsinki Final Act.**

IV

9. **The participating States reaffirm the inherent right, as recognized in the Charter of the United Nations, of individual and collective self-defence.**

10. **Each participating State, bearing in mind the legitimate security concerns of other States, is free to determine its security interests itself on the basis of sovereign equality and has the right freely to choose its own security arrangements, in accordance with international law and with commitments to CSCE principles and objectives.**

11. **The participating States each have the sovereign right to belong or not to belong to international organizations, and to be or not to be a party to bilateral or multilateral treaties, including treaties of alliance; they also have the right to neutrality. Each has the right to change its status in this respect, subject to relevant agreements and procedures. Each will respect the rights of all others in this regard.**

12. **Each participating State will maintain only such military capabilities as are commensurate with individual or collective legitimate security needs, taking into account its obligations under international law.**

13. **Each participating State will determine its military capabilities on the basis of national democratic procedures, bearing in mind the legitimate security concerns of other States as well as**

the need to contribute to international security and stability. No participating State will attempt to impose military domination over any other participating State.

14. A participating State may station its armed forces on the territory of another participating State in accordance with their freely negotiated agreement as well as in accordance with international law.

V

15. The participating States will implement in good faith each of their commitments in the field of arms control, disarmament and confidence- and security-building as an important element of their indivisible security.

16. With a view to enhancing security and stability in the CSCE area, the participating States reaffirm their commitment to pursue arms control, disarmament and confidence- and security-building measures.

VI

17. The participating States commit themselves to co-operate, including through development of sound economic and environmental conditions, to counter tensions that may lead to conflict. The sources of such tensions include violations of human rights and fundamental freedoms and of other commitments in the human dimension; manifestations of aggressive nationalism, racism, chauvinism, xenophobia and anti-semitism also endanger peace and security.

18. The participating States stress the importance both of early identification of potential conflicts and of their joint efforts in the field of conflict prevention, crisis management and peaceful settlement of disputes.

19. In the event of armed conflict, they will seek to facilitate the effective cessation of hostilities and seek to create conditions favourable to the political solution of the conflict. They

will co-operate in support of humanitarian assistance to alleviate suffering among the civilian population, including facilitating the movement of personnel and resources dedicated to such tasks.

VII

20. The participating States consider the democratic political control of military, paramilitary and internal security forces as well as of intelligence services and the police to be an indispensable element of stability and security. They will further the integration of their armed forces with civil society as an important expression of democracy.

21. Each participating State will at all times provide for and maintain effective guidance to and control of its military, paramilitary and security forces by constitutionally established authorities vested with democratic legitimacy. Each participating State will provide controls to ensure that such authorities fulfil their constitutional and legal responsibilities. They will clearly define the roles and missions of such forces and their obligation to act solely within the constitutional framework.

22. Each participating State will provide for its legislative approval of defence expenditures. Each participating State will, with due regard to national security requirements, exercise restraint in its military expenditures and provide for transparency and public access to information related to the armed forces.

23. Each participating State, while providing for the individual service member's exercise of his or her civil rights, will ensure that its armed forces as such are politically neutral.

24. Each participating State will provide and maintain measures to guard against accidental or unauthorized use of military means.

25. The participating States will not tolerate or support forces that are not accountable to or controlled by their constitutionally established authorities. If a participating State is unable to exercise its authority over such forces, it may seek consultations within the CSCE to consider steps to be taken.

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26. Each participating State will ensure that in accordance with its international commitments its paramilitary forces refrain from the acquisition of combat mission capabilities in excess of those for which they were established.

27. Each participating State will ensure that the recruitment or call-up of personnel for service in its military, paramilitary and security forces is consistent with its obligations and commitments in respect of human rights and fundamental freedoms.

28. The participating States will reflect in their laws or other relevant documents the rights and duties of armed forces personnel. They will consider introducing exemptions from or alternatives to military service.

29. The participating States will make widely available in their respective countries the international humanitarian law of war. They will reflect, in accordance with national practice, their commitments in this field in their military training programmes and regulations.

30. Each participating State will instruct its armed forces personnel in international humanitarian law, rules, conventions and commitments governing armed conflict and will ensure that such personnel are aware that they are individually accountable under national and international law for their actions.

31. The participating States will ensure that armed forces personnel vested with command authority exercise it in accordance with relevant national as well as international law and are made aware that they can be held individually accountable under those laws for the unlawful exercise of such authority and that orders contrary to national and international law must not be given. The responsibility of superiors does not exempt subordinates from any of their individual responsibilities.

32. Each participating State will ensure that military, paramilitary and security forces personnel will be able to enjoy and exercise their human rights and fundamental freedoms as reflected in CSCE documents and international law, in conformity with relevant constitutional and legal provisions and with the requirements of service.

33. Each participating State will provide appropriate legal and administrative procedures to protect the rights of all its forces personnel.

VIII

34. Each participating State will ensure that its armed forces are, in peace and in war, commanded, manned, trained and equipped in ways that are consistent with the provisions of international law and its respective obligations and commitments related to the use of armed forces in armed conflict, including as applicable the Hague Conventions of 1907 and 1954, the Geneva Conventions of 1949 and the 1977 Protocols Additional thereto, as well as the 1980 Convention on the Use of Certain Conventional Weapons.

35. Each participating State will ensure that its defence policy and doctrine are consistent with international law related to the use of armed forces, including in armed conflict, and the relevant commitments of this Code.

36. Each participating State will ensure that any decision to assign its armed forces to internal security missions is arrived at in conformity with constitutional procedures. Such decisions will prescribe the armed forces' missions, ensuring that they will be performed under the effective control of constitutionally established authorities and subject to the rule of law. If recourse to force cannot be avoided in performing internal security missions, each participating State will ensure that its use must be commensurate with the needs for enforcement. The armed forces will take due care to avoid injury to civilians or their property.

37. The participating States will not use armed forces to limit the peaceful and lawful exercise of their human and civil rights by persons as individuals or as representatives of groups nor to deprive them of their national, religious, cultural, linguistic or ethnic identity.

IX

38. Each participating State is responsible for implementation of this Code. If requested, a participating State will provide appropriate clarification regarding its implementation of the Code.

Appropriate CSCE bodies, mechanisms and procedures will be used to assess, review and improve if necessary the implementation of this Code.

X

39. The provisions adopted in this Code of Conduct are politically binding. Accordingly, this Code is not eligible for registration under Article 102 of the Charter of the United Nations. This Code will come into effect on 1 January 1995.

40. Nothing in this Code alters the nature and content of the commitments undertaken in other CSCE documents.

41. The participating States will seek to ensure that their relevant internal documents and procedures or, where appropriate, legal instruments reflect the commitments made in this Code.

42. The text of the Code will be published in each participating State, which will disseminate it and make it known as widely as possible.

V

FURTHER TASKS OF THE CSCE FORUM FOR SECURITY CO-OPERATION

The participating States,

Having reviewed and assessed the results achieved in the negotiations within the Forum for Security Co-operation (FSC),

Have decided that:

1. The FSC will continue its work in accordance with its mandate and where appropriate develop new approaches to the items therein, taking into account the specific characteristics of the armed forces of individual participating States.

2. The FSC will give increased attention to the improved implementation of existing CSCE commitments relating to confidence- and security-building. It will address their further development, and if appropriate, adopt new measures to meet new challenges.

3. The FSC will also place special emphasis on tackling regional security problems (including crises) flexibly in ways appropriate to each case.

Have also decided that:

4. The FSC will develop a framework for arms control, including goals and methods for building, maintaining and improving stability and security in the CSCE region. This framework should be comprehensive in scope and should address the diverse challenges and risks to military security in the CSCE region. It will serve as a basis for an agenda for establishing new measures of arms control, including in particular confidence- and security-building, for the military forces of all participating States, with a view to strengthening the network of security commitments that the participating States undertake to each other. Specific arms control measures, including

disarmament and confidence- and security-building, may vary in order to address the particular security needs of individual States or regions but may also embrace further CSCE-wide measures, taking into account the specific characteristics of the armed forces of individual participating States.

5. In this context, the FSC will, *inter alia*, seek to promote complementarity between regional and CSCE-wide approaches. These efforts will also build upon the continuing experience and achievements in the area of arms control and confidence- and security-building. They will continue to be based on a co-operative and comprehensive approach to security and will be designed to promote coherence between CSCE arms control and confidence-building efforts and the overall goals of the CSCE.

6. The above work of the FSC will not affect in any way the integrity of the CFE Treaty, nor any rights or obligations of States parties to the Treaty. It will recognize the critical role of that Treaty in ensuring military security and stability.

Have further decided that:

7. The FSC, while retaining its autonomy and decision-making capacity, will be better integrated into CSCE political, conflict prevention and crisis management activities, thus allowing practical co-operation between the FSC and the Permanent Council in the consideration of current issues affecting military security.

8. The FSC will report on the above work by the 1996 Lisbon Summit and make recommendations.

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Annex

COMPENDIUM OF DOCUMENTS AND MEASURES ADOPTED BY THE SPECIAL COMMITTEE OF THE FORUM FOR SECURITY CO-OPERATION SINCE SEPTEMBER 1992

1. **Vienna Document 1994, including Defence Planning and Programme for Military Contacts and Co-operation**

2. **Global Exchange of Military Information**

3. **Principles Governing Conventional Arms Transfers**

4. **Stabilizing Measures for Localized Crisis Situations**

VI

PRINCIPLES GOVERNING NON-PROLIFERATION

The participating States recall that in Prague on 30 January 1992 they reiterated their commitment to prevent the proliferation of weapons of mass destruction and to control the spread of missile technology. They also recall their declaration in the Helsinki Document of 10 July 1992 to take further steps to stop the proliferation of weapons of mass destruction and to intensify co-operation on a non-discriminatory and equitable basis in the field of effective export controls applicable to nuclear materials, and other sensitive goods and technologies as well as conventional arms.

I

The participating States strongly believe that the proliferation of weapons of mass destruction, and missiles to deliver them, poses a threat to international peace, security and stability and hereby affirm their commitment:

- **to prevent the proliferation of nuclear weapons;**
- **to prevent the acquisition, development, production, stockpiling, and use of chemical and biological weapons;**
- **to control the transfer of missiles capable of delivering weapons of mass destruction and their components and technology.**

II

In order to promote international peace, security and stability, the participating States undertake to enhance and strengthen existing norms against the proliferation of weapons of mass

destruction. They seek to do so through the use of an entire range of measures available to address the proliferation issues, as well as through the broadest possible multilateral support. Therefore the participating States will:

Nuclear

- implement fully all their existing undertakings in the field of nuclear disarmament and arms control;

- endorse and encourage universal adherence to the NPT; in particular, the participating States that are still not parties to the NPT reiterate their pledge to accede to the NPT as non-nuclear-weapon States in the shortest time possible;

- agree that the NPT should be indefinitely and unconditionally extended;

- bring into force full-scope IAEA safeguards agreements as required by the NPT, including the right of the IAEA to conduct special inspections, thus strengthening the verification regime;

- support efforts to strengthen and streamline IAEA safeguards, in particular with a view to enhancing the Agency's capabilities to better detect clandestine nuclear weapons programmes;

- improve national nuclear export control policies by supporting and, where possible, strengthening the guidelines of the Zangger Committee and the Nuclear Suppliers Group, including the latter's controls on dual-use items;

- welcome the recent statements of France, the Russian Federation, the United Kingdo and the United States of America relating to nuclear testing and are convinced that these statements are consistent with the negotiation of a comprehensive nuclear test-ban treaty and support negotiation in the Conference on Disarmament of a universal and effectively verifiable Comprehensive Test Ban Treaty, as agreed by the Conference on Disarmament on 10 August 1993;

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- **support efforts for negotiating as soon as possible, in the Conference on Disarmament, a non-discriminatory, internationally and effectively verifiable multilateral treaty banning the production of fissile material for nuclear weapons.**

Chemical and Biological

- **adhere to the 1925 Geneva Protocol prohibiting the use in war of chemical and biological weapons (CBW);**

- **adhere to, and join efforts to strengthen, the Biological and Toxin Weapons Convention (BTWC), *inter alia*, by participating in the Ad Hoc Group established by the BTWC Special Conference 19-30 September 1994, to consider appropriate potential verification measures in order to develop a legally-binding regime to promote compliance with the Convention;**

- **pursue the achievement of universal adherence to the Chemical Weapons Convention (CWC), and participate in the work of the Preparatory Commission; in particular, the participating States that have not yet done so reiterate their pledge to sign and to seek early ratification of the Convention so that it may enter into force as soon as possible;**

- **review progress in this regard at the next Ministerial Council;**

- **support controls as agreed, in particular, in the Australia group, and introduce effective licensing and enforcement procedures covering the chemical weapons precursors lists within the existing control regimes, CW-related dual-use equipment, BW-relevant pathogens and BW-related dual-use equipment.**

Missile Technology

- **support the guidelines of the Missile Technology Control Regime (MTCR), undertake to control the export of missiles, technology and equipment in accordance with the guidelines and annex and encourage efforts with a view to interested participating States becoming adherents to the MTCR.**

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III

Furthermore each participating State will:

- take appropriate action to reflect the commitments in Section II in its legislation, regulations and procedures governing the non-proliferation of weapons of mass destruction and missiles capable of delivering them, relevant technology and expertise;

- promote international co-operative efforts to provide opportunities for weapons scientists and engineers to redirect their talents to peaceful endeavours, including through available institutional means;

- exchange information, *inter alia*, in the context of security dialogue within the Forum for Security Co-operation (including through seminars and working parties) about national laws, regulations and practical measures for ensuring application and implementation of non-proliferation regimes;

- take all appropriate action to prevent, within their constitutional and legislative means, their nationals from engaging in activities that do not conform to these principles concerning the non-proliferation of all types of weapons of mass destruction.

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VII

A COMMON AND COMPREHENSIVE SECURITY MODEL FOR EUROPE FOR THE TWENTY-FIRST CENTURY

Since the end of the Cold War, the CSCE - based on the Helsinki Final Act, the Charter of Paris and the Helsinki Document 1992 - has contributed to co-operative security in the whole CSCE region. In this new era of security co-operation, the participating States have decided to start a discussion of a model based on the CSCE principles and the above-mentioned documents for a common and comprehensive security for the twenty-first century. It will not affect the inherent right of each and every participating State to be free to choose or change its security arrangements, including treaties of alliance, as they evolve.

Accordingly, they have decided:

- **to launch in the CSCE a broad and comprehensive discussion on all aspects of security, as appropriate, aimed at devising a concept of security for the twenty-first century;**
- **to take into account the ongoing discussions in participating States on this topic;**
- **to hold a seminar on this topic in Vienna in the autumn of 1995;**
- **to instruct the Senior Council to include this item in its agenda of its meeting before the next regular meeting of the Ministerial Council in Budapest in 1995;**
- **to request the Chairman-in-Office to present a progress report to the next meeting of the Ministerial Council. The Council may decide upon modalities for the further discussion and possible work on the model. Results available at that time will be presented to the next Summit Meeting by the Chairman-in-Office.**

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VIII

THE HUMAN DIMENSION

Introduction

1. In their review of implementation of CSCE commitments in the human dimension, the participating States based their discussion on the community of values established among them, which is reflected in the high standards created within the CSCE. During the discussion, it was noted that major progress had been made in compliance with human dimension commitments. The participating States acknowledged, however, that there was a serious deterioration in some areas and a need for action against the continuing violations of human rights and manifestations of aggressive nationalism, such as territorial expansionism, as well as racism, chauvinism, xenophobia and anti-semitism, which continue to cause human suffering.

2. Human rights and fundamental freedoms, the rule of law and democratic institutions are the foundations of peace and security, representing a crucial contribution to conflict prevention, within a comprehensive concept of security. The protection of human rights, including the rights of persons belonging to national minorities, is an essential foundation of democratic civil society. Neglect of these rights has, in severe cases, contributed to extremism, regional instability and conflict. The participating States confirmed that issues of implementation of CSCE commitments are of legitimate and common concern to all participating States, and that the raising of these problems in the co-operative and result-oriented spirit of the CSCE was therefore a positive exercise. They undertook to encourage implementation of CSCE commitments through enhanced dialogue, implementation reviews and mechanisms. They will broaden the operational framework of the CSCE, in particular by enhancing the Office for Democratic Institutions and Human Rights (ODIHR), increasing its involvement in the work of the Permanent Council and mission activity, and furthering co-operation with international organizations and institutions active in human dimension areas.

3. The participation of non-governmental organizations (NGOs) was a welcome addition to the implementation review. In their statements, these organizations contributed ideas and raised

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issues of concern for participating States to take into consideration. They also informed the participating States of their activities, such as in the area of conflict prevention and resolution. The experience of the Budapest Review Conference invites further consideration with regard to promoting within the CSCE the dialogue between governments and NGOs of the participating States, in addition to State-to-State dialogue.

4. Reaffirming their commitments in the human dimension, the participating States, while considering it essential to concentrate their efforts on the implementation of existing CSCE commitments, decide to enhance the framework of their co-operation and to this end adopt the following:

ENHANCING COMPLIANCE WITH CSCE COMMITMENTS AND PROMOTING CO-OPERATION AND DIALOGUE IN THE HUMAN DIMENSION

Enhancing implementation

5. Building on the implementation review structures in the Helsinki Document 1992 and to improve human dimension implementation, the participating States will use the Permanent Council for an enhanced dialogue on the human dimension and for possible action in cases of non-implementation. To this end, the participating States decide that human dimension issues will be regularly dealt with by the Permanent Council. They will draw more widely on the possibilities offered by the Moscow Mechanism for examining or promoting the solution of questions relating to the human dimension on their territory.

6. They encourage the Chairman-in-Office to inform the Permanent Council of serious cases of alleged non-implementation of human dimension commitments, including on the basis of information from the ODIHR, reports and recommendations of the High Commissioner on National Minorities (HCNM), or reports of the head of a CSCE mission and information from the State concerned.

7. The participating States reconfirm their appreciation for the HCNM, who has, fully in line with his mandate, been able to focus on, and to successfully address a number of national

minority issues, taking also into account specific situations of participating States and of parties directly concerned.

They encourage the HCNM to continue his present activities, and support him on taking up new and further ones, including those related to his recommendations. They will increase their efforts to implement these recommendations.

Role of the ODIHR

8. The ODIHR, as the main institution of the human dimension, in consultation with the Chairman-in-Office, will, acting in an advisory capacity, participate in discussions of the Senior Council and the Permanent Council, by reporting at regular intervals on its activities and providing information on implementation issues. It will provide supporting material for the annual review of implementation and, where necessary, clarify or supplement information received. Acting in close consultation with the Chairman-in-Office, the Director of the ODIHR may propose further action.

9. The participating States recognize the need for enhanced co-operation through the ODIHR with other international organizations and institutions active in the human dimension, including among others the United Nations High Commissioner for Human Rights, for the exchange of information, including reports, and for further developing of future-oriented activities, such as outlined in the present document.

10. The participating States decide to

enhance the CSCE's co-operation with other international organizations and institutions, in particular UNHCR and IOM, with a view to contributing to UNHCR's preparation of a regional conference to address the problems of refugees, displaced persons, other forms of involuntary displacement and returnees in the countries of the Commonwealth of Independent States (CIS) and other interested neighbouring States, by establishing, after consultation in the informal Financial Committee, a temporary position, financed by voluntary contributions for a migration expert;

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- task the ODIHR to act as a clearing-house for the exchange of information on media issues in the region, and encourage governments, journalists and NGOs to provide the ODIHR with information on the situation of the media.

11. The ODIHR will be consulted on a CSCE mission's mandate before adoption and will contribute to the follow-up of mission reports as decided by the Permanent Council. The ODIHR's knowledge of experts on the human dimension should be used to help to staff CSCE missions. These missions will also designate a mission member to liaise with the ODIHR and with NGOs on human dimension issues.

12. The ODIHR will play an enhanced role in election monitoring, before, during and after elections. In this context, the ODIHR should assess the conditions for the free and independent functioning of the media.

The participating States request that co-ordination between the various organizations monitoring elections be improved, and task the ODIHR to consult all relevant organizations in order to develop a framework for co-ordination in this field.

In order to enhance election monitoring preparations and procedures, the ODIHR will also devise a handbook for election monitors and set up a rolling calendar for upcoming elections.

13. The provisions mentioned in the human dimension chapter of this document do not in any way constitute a change in the mandate of either the ODIHR or the HCNM.

ODIHR seminars

14. The number of large-scale human dimension seminars will as a rule be reduced to two per year. They will focus on topics which are of the broadest interest.

There will be more emphasis on regional seminars. Where appropriate they will form part of the Programme of Co-ordinated Support. These seminars should seek full participation from States in the region in which they are held. The ODIHR is requested to present to the Permanent Council a report on how to increase the effectiveness of human dimension seminars.

Whilst these seminars will not produce a negotiated document, particular attention should be given to improving follow-up.

15. A large number of possible subjects for seminars, both large-scale and regional, was suggested during the Review Conference. The Executive Secretariat kept a list, which will be passed on to the Permanent Council. In conformity with the relevant provisions of the Helsinki Document 1992, the Permanent Council will establish an annual work programme including the titles, dates and venues of such seminars, taking into account the advice of the ODIHR and the HCNM.

16. The participating States welcomed the offer of Romania to host an International Seminar on Tolerance in Bucharest under the auspices of the ODIHR and the Council of Europe, in co-operation with UNESCO, in the context of the 1995 International Year of Tolerance.

Role of NGOs

17. The participating States and CSCE institutions will provide opportunities for increased involvement of NGOs in CSCE activities as foreseen in Chapter IV of the Helsinki Document 1992. They will search for ways in which the CSCE can best make use of the work and information provided by NGOs. The Secretary General is requested to make a study on how participation of NGOs can be further enhanced.

COMMITMENTS AND CO-OPERATION

Rule of law

18. The participating States emphasize that all action by public authorities must be consistent with the rule of law, thus guaranteeing legal security for the individual.

They also emphasize the need for protection of human rights defenders and look forward to the completion and adoption, in the framework of the United Nations, of the draft declaration on the "Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms.

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Capital punishment

19. **The participating States reconfirm their commitments in the Copenhagen and Moscow Documents concerning the question of capital punishment.**

Prevention of torture

20. **The participating States strongly condemn all forms of torture as one of the most flagrant violations of human rights and human dignity. They commit themselves to strive for its elimination. They recognize the importance in this respect of international norms as laid down in international treaties on human rights, in particular the United Nations Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment and the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment. They also recognize the importance of national legislation aimed at eradicating torture. They commit themselves to inquire into all alleged cases of torture and to prosecute offenders. They also commit themselves to include in their educational and training programmes for law enforcement and police forces specific provisions with a view to eradicating torture. They consider that an exchange of information on this problem is an essential prerequisite. The participating States should have the possibility to obtain such information. The CSCE should in this context also draw on the experience of the Special Rapporteur on Torture and other Cruelly Inhuman or Degrading Treatment or Punishment established by the Commission on Human Rights of the United Nations and make use of information provided by NGOs.**

National minorities

21. The participating States confirm their determination consistently to advance the implementation of the provisions of the Final Act and all other CSCE documents relating to the protection of the rights of persons belonging to national minorities. They commend the work of the HCNM in this field.

22. **The participating States welcome the international efforts to improve protection of the rights of persons belonging to national minorities. They take note of the adoption, within the Council of Europe, of a Framework Convention on the Protection of National Minorities, which**

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builds upon CSCE standards in this context. They stressed that the Convention is also open - by invitation - to signature by States which are not members of the Council of Europe and they may consider examining the possibility of becoming parties to this Convention.

Roma and Sinti

23. The participating States decide to appoint within the ODIHR a contact point for Roma and Sinti (Gypsies) issues. The ODIHR will be tasked to:

- act as a clearing-house for the exchange of information on Roma and Sinti (Gypsies) issues, including information on the implementation of commitments pertaining to Roma and Sinti (Gypsies);
- facilitate contacts on Roma and Sinti (Gypsies) issues between participating States, international organizations and institutions and NGOs;
- maintain and develop contacts on these issues between CSCE institutions and other international organizations and institutions.

To fulfil these tasks, the ODIHR will make full use of existing resources. In this context they welcome the announcement made by some Roma and Sinti (Gypsies) organizations of their intention to make voluntary contributions.

24. The participating States welcome the activities related to Roma and Sinti (Gypsies) issues in other international organizations and institutions, in particular those undertaken in the Council of Europe.

Tolerance and non-discrimination

25. The participating States condemn manifestations of intolerance, and especially of aggressive nationalism, racism, chauvinism, xenophobia and anti-semitism, and will continue to promote effective measures aimed at their eradication. They request the ODIHR to continue to pay special attention to these phenomena, collecting information on their various manifestations in

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participating States. They will seek to strengthen or adopt appropriate legislation to this end and take the necessary measures to ensure that existing legislation is effectively implemented, in a way that would deter manifestations of these phenomena. They also stress that action to combat these phenomena should be seen as an integral part of integration policy and education. They condemn all crimes committed in the pursuit of so-called "ethnic cleansing" and will continue to give their effective support to the International War Crimes Tribunal for the former Yugoslavia in The Hague.

26. They commend the Council of Europe's plan of action on racism, xenophobia, anti-semitism and intolerance. In following up the Rome Council's Declaration, CSCE institutions will explore possibilities for joint work with the Council of Europe, as well as the United Nations and other international organizations.

27. Reaffirming their commitment to ensure freedom of conscience and religion and to foster a climate of mutual tolerance and respect between believers of different communities as well as between believers and non-believers, they expressed their concern about the exploitation of religion for aggressive nationalist ends.

Migrant workers

28. The participating States reconfirm that human rights are universal and indivisible. They recognized that the protection and promotion of the rights of migrant workers have their human dimension. They underline the right of migrant workers to express freely their ethnic, cultural, religious and linguistic characteristics. The exercise of such rights may be subject to such restrictions as are prescribed by law and consistent with international standards.

29. They decided that appropriate measures should be taken to better prevent racist attacks and other manifestations of violent intolerance against migrant workers and their families.

30. They reconfirm their condemnation of all acts of discrimination on the ground of race, colour and ethnic origin, intolerance and xenophobia against migrant workers. They will, in conformity with domestic law and international obligations, continue to take effective measures to this end.

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31. They will continue to promote the integration of migrant workers in the societies in which they are lawfully residing. They recognize that a successful process of integration also depends on its active pursuit by the migrants themselves and decided therefore to encourage them in this regard.

Migration

32. The participating States express their concern at mass migratory movements in the CSCE region, including millions of refugees and displaced persons, due mainly to war, armed conflict, civil strife and grave human rights violations. Taking into account the Rome Council Decisions 1993, they decide to expand their co-operation with appropriate international bodies in this respect.

They take note of efforts undertaken by UNHCR to prepare a regional conference to address the problems of refugees, displaced persons, other forms of involuntary displacement and returnees in the countries of the CIS and other interested neighbouring States.

International humanitarian law

33. The participating States deeply deplore the series of flagrant violations of international humanitarian law that occurred in the CSCE region in recent years and reaffirm their commitment to respect and ensure respect for general international humanitarian law and in particular for their obligations under the relevant international instruments, including the 1949 Geneva Conventions and their additional protocols, to which they are a party.

34. They emphasize the potential significance of a declaration on minimum humanitarian standards applicable in all situations and declare their willingness to actively participate in its preparation in the framework of the United Nations. They commit themselves to ensure adequate information and training within their military services with regard to the provisions of international humanitarian law and consider that relevant information should be made available.

35. They highly value the developing co-operation between the CSCE and the International Committee of the Red Cross (ICRC), in particular in the case of CSCE missions, and welcome

the readiness of the ICRC to develop this co-operation and commit themselves to further extend support to the ICRC, in particular by strengthening contacts already established between CSCE missions and the ICRC's delegations in the field.

Freedom of expression/Free media

36. The participating States reaffirm that freedom of expression is a human right and a basic component of a democratic society. In this respect, independent and pluralistic media are essential to a free and open society and accountable systems of government. They take as their guiding principle that they will safeguard this right.

37. They condemn all attacks on and harassment of journalists and will endeavour to hold those directly responsible for such attacks and harassment accountable.

38. They further note that fomenting hatred and ethnic tension through the media, especially by governments, can serve as an early warning of conflict.

Freedom of movement/Human contacts/Cultural heritage

39. The participating States will further encourage and facilitate human contacts, cultural and educational exchanges and co-operate in accordance with CSCE provisions. They will continue to implement their commitments in the cultural field, as laid down in the Document of the Cracow Symposium on the Cultural Heritage of the CSCE Participating States and other relevant CSCE documents. They will encourage public and private efforts aimed at the preservation of the cultural heritage in their States.

40. They will encourage administrative authorities dealing with citizens of other States to fully implement the CSCE commitments concerning travel and will refrain from degrading treatment and other outrages against personal dignity. They will also consider the need for elaborating a document compiling relevant CSCE provisions.

41. The Permanent Council will explore the possibility of holding informal meetings on the issues mentioned in the two preceding paragraphs.

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PROGRAMME OF CO-ORDINATED SUPPORT

42. The participating States, taking into account the progress achieved through the implementation of the Programme of Co-ordinated Support during the past two years under the co-ordination of the ODIHR, have decided that this programme should continue. The ODIHR and the Secretary General will continue to arrange meetings and seminars on CSCE-related matters to enable interested States to fulfil their CSCE commitments more easily. The participating States will continue to include representatives of these States in government-sponsored internships, study and training programmes so that levels of experience, knowledge and expertise can be raised.

43. They agreed that the ability of the ODIHR to provide in-depth expertise on human dimension issues under the Programme of Co-ordinated Support should be further developed. In order to respond to requests for advice by newly independent States concerned on all aspects of democratization, they decided that using experts-at-large within the framework of the Programme of Co-ordinated Support would be a useful enhancement of the ODIHR's role.

IX

THE ECONOMIC DIMENSION

1. The participating States reaffirm the principles and values expressed in the Helsinki Document 1992, the Document of the Bonn Conference on Economic Co-operation, and the Charter of Paris for a New Europe, and underscore that support for the economic reform process, and the development of market economies and environmentally sound policies are essential for the security and stability of the CSCE region.

2. The participating States consider it important to pay close attention to the interrelationship among all of the dimensions of the CSCE's comprehensive concept of security. The economic dimension in the CSCE comprises activities designed to promote co-operation in the field of economics, the environment and science and technology, as well as regional and transfrontier co-operation.

3. The participating States welcome the role played by the international economic and financial institutions in support of economic dimension priorities, and reaffirm their interest in working closely with these organizations. They consider it necessary to promote closer interaction between the CSCE and international economic and financial organizations and institutions engaged in the CSCE region. In order to place issues of common concern into a broader security context, the participating States encourage the Chairman-in-Office and the Secretary General to enhance their dialogue with such organizations. They ask the Secretary General to establish an international organizations contact point which would assist in the exchange of information between representatives of the CSCE and these organizations on activities relating to the economic dimension, and reduce duplication and overlap.

4. The participating States will continue to co-operate in support of the economic reform process in the countries in transition, concentrating on issues relating to trade and investment, privatization, and private sector development. They will work to promote the effective integration of the countries with economies in transition into world economic structures, and to this end reaffirm their determination to promote the continued liberalization of trade, including market access. The participating States welcome the network of bilateral and multilateral

agreements and arrangements which contribute to overcoming past divisions, and note with pleasure the successful conclusion of the Uruguay Round of the GATT negotiations and the creation of the new World Trade Organization.

5. Regional and transfrontier co-operation has a definite role in promoting good-neighbourly relations. The participating States welcome the development of an increasing number of regional groupings, in conformity with CSCE principles, including the Black Sea Economic Co-operation, the Barents Euro-Arctic Council, the Central European Initiative, the Central European Free Trade Agreement, the Council of Baltic Sea States and the Danube River Protection Convention, as positive examples of economic, environmental, regional and transfrontier co-operation.

6. The participating States note that the development of economic ties and co-operation in the framework of the Commonwealth of Independent States and the implementation of their economic agreements will contribute to resolving the problems of the transition process.

7. Recognizing the importance of infrastructure development in the promotion of economic integration in Europe, the participating States welcome the declaration of the Second Pan-European Transport Conference and undertake to implement its conclusions. The participating States note with interest the upcoming signing of the European Energy Charter, and express their support for the principle of establishing a Trans-European Energy Network.

8. The participating States recall the special ad hoc meeting of Senior Officials convened as a result of the decision by the Rome Council Meeting to discuss priority projects to assist those States affected by United Nations sanctions against Yugoslavia (Serbia and Montenegro). This meeting resulted in better international co-ordination in addressing these problems, and the participating States encourage international organizations and the involved States to continue their efforts in this regard.

9. The participating States will continue to encourage initiatives aimed at promoting sustainable development, and will take the necessary steps toward implementing various international conventions and arrangements relating to environmental protection. They express their intention to work together, along with the relevant international organizations and institutions, to ensure the maintenance of environmental standards in the CSCE area. The

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participating States welcome the establishment of the European Environmental Agency in Copenhagen, and acknowledge the key role it will play in the dissemination of information in this field.

10. The participating States note the ongoing development of transfrontier co-operation on issues of mutual interest in the arctic region. They encourage the eight arctic nations to take steps to effectively implement the Arctic Environmental Protection Strategy (EPS) and ensure the continued co-ordination of its programmes.

11. The participating States will collaborate with the relevant international organizations in the preparation of the next Ministerial "Environment for Europe" Conference, scheduled for Sofia in 1995, and express their intention to continue their support for this process.

12. The participating States encourage the creation of environmental centres in the Russian Federation and the newly independent participating States, modelled after the Regional Environmental Centre in Budapest. These centres would work to promote full participation of both the public and private sectors, including non-governmental organizations, in environmental decision-making.

13. The participating States encourage ongoing international co-operation efforts, especially those of the IAEA, aimed at improving nuclear safety. The participating States will pay special attention to the safe management of radioactive waste, and welcome recent international initiatives intended to assist in this area.

14. The participating States confirm their commitment to further international co-operation in the field of science and technology through existing bilateral and multilateral frameworks, and encourage continued effort in this direction. To this end, the participating States will consider convening a second "Scientific Forum".

15. The participating States remain convinced of the need to preserve the national scientific potential of countries in transition. They recognize that co-operation between industry and research institutions is beneficial in raising productivity and enhancing competitiveness. They encourage efforts to preserve that potential, and urge continued co-operation in this area. In this

respect, they welcome the establishment of the International Science and Technology Centre in Moscow, and encourage the participation of scientists in the activities of similar centres. The participating States also encourage the promotion of the exchange of high technology, consistent with their international obligations and commitments.

16. Stressing the importance of public support for reform, the participating States will continue to pay close attention to the social aspects of the transition process.

17. The participating States encourage co-operation in the adaptation of education and training systems, so that they may better serve the needs of societies undergoing reform. Some areas requiring specific attention are the identification of present and future skill needs, retraining of the unemployed to facilitate their integration into the labour market, continued vocational training, and the integration of all sectors of society into these programmes. Training in modern management practices is also an essential element of economic reform.

18. The participating States recognize the importance of co-operation in a number of areas in the economic integration process. They confirm that the development of transparent and internationally compatible standards and certification procedures is an essential factor in promoting trade and investment. They reaffirm the importance of recognizing intellectual property rights. The participating States recognize that access to reliable information and statistics is important to public policy development as well as decision-making in the private sector. They also encourage efforts to standardize reporting practices. Progress in these areas is crucial to fostering co-operation, including the development of trade, the promotion of investment, and sound environmental policies.

19. The participating States renew their commitment to take active measures and engage in consultations in the relevant fora to prevent the trafficking of drugs.

20. The participating States stress that the Economic Forum remains the main venue for discussion of economic dimension issues. They are committed to making the Forum more dynamic through the careful preparation of each meeting well in advance, and a change in format to allow for maximum discussion. The participating States recognize that the success of the Economic Forum is dependent upon the active and high level participation of a wide range of

representatives from government, international institutions, the private sector, business associations, labour unions, academic communities, and non-governmental organizations with relevant experience.

21. The participating States request the Chairman-in-Office, with support from the Secretariat, to convene an ad hoc informal group to meet in Vienna to undertake the preparation of the Economic Forum and its follow-up. Representatives of relevant international organizations may be invited to these meetings.

22. Topics addressed in the Economic Forum in general should continue to cover various aspects of the transition process and economic co-operation in the CSCE area, as well as related issues in the economic dimension. However, in order to make Forum meetings more effective, the participating States agree to choose within the broad areas a limited number of topics for each annual meeting. The topic of the Third Economic Forum meeting will be regional economic co-operation in the fields of trade, investment and infrastructure.

23. The participating States believe tourism plays a role in promoting better understanding between different cultures, and in creating enduring links between peoples and States. In this spirit the participating States welcome the Government of Romania's decision to host a seminar on tourism in the autumn of 1995, as a follow up to the ideas proposed in the Second Economic Forum.

24. To promote greater effectiveness of economic dimension activities, and noting the decision taken by the Rome Council, the participating States ask the Secretary General to designate a position for a full-time economic expert, and to designate Secretariat staff to ensure adequate support for these activities.

25. Recalling the Rome Council decision to have the CSCE take a more active role in promoting co-operation in the economic dimension, the participating States encourage the Chairman-in-Office to convene a meeting of the Permanent Council to discuss means to integrate the economic dimension into the consideration of the tasks faced by the CSCE. Representatives of relevant international economic and financial institutions may be invited to such a meeting.

26. The participating States welcome initiatives by the private sector to create business clubs and activities in line with CSCE principles and values. The participating States stand ready to facilitate the exchanges of information and experience, and promote interaction with and among these clubs and associations, through, *inter alia*, the Economic Forum meeting.

27. The participating States also encourage the Secretariat to work towards augmenting the involvement of representatives of the business community including the private sector, business associations, and non governmental organizations with relevant experience, in economic dimension activities. This could be done through the increased use of Secretariat public affairs efforts.

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MEDITERRANEAN

1. The non-participating Mediterranean States have had a long-standing relationship with, and have shown keen interest in the work of, the CSCE since its beginning. Reaffirming their conviction that strengthening security and co-operation in the Mediterranean is important for stability in the CSCE region, the participating States welcome the agreements recently concluded in the Middle East peace process. Recalling the Helsinki Document 1992 and confirming subsequent relevant decisions, the participating States decide to intensify the dialogue with the five non-participating Mediterranean States referred to in the decision taken by the 25th Meeting of the Committee of Senior Officials.

2. To this end, and responding to the interest shown by these non-participating Mediterranean States, they take the following decisions:

(a) An informal, open-ended contact group, at the level of experts, will be established within the framework of the Permanent Council in Vienna. This group will meet periodically to conduct a dialogue with these non-participating Mediterranean States in order to facilitate the interchange of information of mutual interest and the generation of ideas.

(b) Building on the tradition of Mediterranean seminars already in existence within the CSCE, the participating States decide to hold a seminar in 1995 on the topic of the CSCE's experience in the field of confidence-building measures. The participating States also envisage holding future seminars on topics of mutual interest. They welcome the offer made by the Arab Republic of Egypt to host the above seminar, and encourage the other four non-participating Mediterranean States to make similar offers.

(c) The Chairman-in-Office will conduct during his/her term in office high-level consultations between the CSCE, represented by the Troika and the Secretary General, and the non-participating Mediterranean States.

(d) In order to consider the proposals that originate in the contact group, seminars and high-level consultations, the Chairman-in-Office will invite during the course of the year representatives of these non-participating Mediterranean States, as appropriate, to any meetings of the Permanent Council solely devoted to "Mediterranean Issues", or to the Senior Council when "Mediterranean Issues" are placed on the agenda. The Chairman of the Forum for Security Co-operation, with the consensus of the participating States, may also invite representatives of these non-participating Mediterranean States to meetings devoted to "Mediterranean Issues".
